OXFORD

The West and Islam

Religion and Political Thought in World History

ANTONY BLACK

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Great Clarendon Street, Oxford ox2 6DP
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Argentina Austria Brazil Chile Czech Republic France Greece
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Published in the United States
by Oxford University Press Inc., New York
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British Library Cataloguing in Publication Data
Data available
Library of Congress Cataloging in Publication Data
Data available
Typeset by SPI Publisher Services, Pondicherry, India
Printed in Great Britain
on acid-free paper by
Biddles Ltd., King's Lynn, Norfolk
ISBN 978–0–19–953320–6
1 3 5 7 9 10 8 6 4 2

To Walter Ullmann
In piam memoriam

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Preface

How did we get into this state? This book is a comparative history of political thought, in which we look at three separate strands of political thought (the Western, Islamic, and Byzantine) side by side, in order to find out in what respects, when, and why they differed from, or resembled, each other. I want to examine what the Western and Islamic approaches to politics had in common and where they differed, in their origins, and in the ways in which they developed over time. This will help to explain why the world is as it is now, so far as ideology is concerned. There are other explanations, based on economics and power politics, not to mention human stupidity. But the subject matter of this book is, I believe, part of the explanation.

Political theory—or its absence—may not influence the day-to-day behaviour of governments or peoples much, but in the long run it has some effect, especially when people feel the need for change or face a crisis.[1] This book looks at how ancient and medieval thought-patterns led to or facilitated later and recent developments. It examines how topics like monarchy, justice, and the people were regarded in each culture. It discusses such themes chronologically, but it is not a full-scale 'history' of either Western or Islamic political thought. The separate histories of both, especially the former, have been written about frequently and at great length. (I wrote my own *History of Islamic Political Thought* partly as a preliminary to this comparative study.) Yet no comparative history has so far been attempted.[2] This is surprising given that they had so much in common and yet ended up so differently. The Islamic world offers a

[1] Writing of 'Islamdom and the Occident', Marshall Hodgson observed that 'peoples do not differ nearly so much in practice as may seem if one judges either by the obvious difference of symbolic detail whereby they fill the demands of daily behaviour, or by the standards given primacy in their high culture . . . Nevertheless, those norms that are given primacy of prestige, on the level of high culture, among the privileged classes, have a pervasive and enduring efficacy. In a crisis they underlie the ideals that imaginative individuals will bring to bear in working out new ways of action . . . above all, it is these norms that confer legitimacy' (1974, ii. 339).

[2] Partial comparative studies are Badie (1986); Makdisi (1981 and 1990).

paradigmatic alternative to Europe, enabling one to see what a society organized on different principles is actually like.

The West and Islam started as part of a projected world history of political thought. The first part of this—a world history of ancient political thought up to about 200CE—will, I hope, appear in two or three years from now.

But this work is only a beginning. There is a great deal more to do on the comparative history of the West and Islam. There are, of course, other projects in the comparative history of political thought waiting to be undertaken. I hope that others will take these up.

I have tried to tread the fine line between scholarly accuracy and being accessible to the general reader. Inevitably, a work of this scope will contain more errors than I care to think about. I hope that others will correct me where I have been wrong and improve on what I have tried to do.

In a comparative work of this scope, it is not always possible on every occasion to explain all the topics and thinkers referred to in as much detail as one would like. I would ask readers to consult *Encyclopaedia Islamica*,[3] Crone (2004), Black (2001), McClelland (1996), *The Cambridge History of Medieval Political Thought*, and Hampsher-Monk (1992), as well as Lambton (1981), Lewis (1988), Coleman (2000), Canning (1996), Skinner (1978), and Black (1992).

[3] Entries are under the Arabic words (*see Glossary*). The Arabic equivalent of *q* is transliterated as *k*.

Acknowledgements

My debt to the late Walter Ullmann, to whom this work is dedicated, is incalculable. It was his passionate lectures which drew me into medieval history and impressed upon me—rightly or wrongly—the importance of ideological conflicts. He taught with the conviction of an immigrant who has had his brush with brutishness: he fled from Nazi Vienna in 1939, passing through Nuremberg at the time of a Hitler rally, and so on to England; to Salisbury Plain, where he composed his first article; and to Leeds, where he met his wife, Elisabeth. He clearly took pleasure in the way in which the religious force of Rome subdued the ambitions of a German monarchy. And so in this work I have come a kind of full circle, arguing the importance of the first European Revolution ('the Investiture Controversy') and of the secularization of political theory which followed from it.

I would like to thank the Politics Programme of the University of Dundee and its convenor, my friend and colleague Brian Baxter, for their toleration of a retired member and for providing me with the facilities of the university; and Susan Malloch, the secretary, for her not-infrequent help with word-processing and printing problems which might otherwise have driven me mad. I would like to thank the staff of the Library of the University of Dundee for their helpfulness and courtesy.

One cannot mention all the scholars who have generously given their time and consideration to providing advice and encouragement at different stages of this project. I would like to single out Janet Coleman, Patricia Crone, and Cary Nederman.

It makes me so happy to thank all of my children, Steve, Tommy, Esther, Matthew, and Christopher, and my grandson Oisin, for their constant activities which inspire me in unknowable ways; my dear wife Aileen for her loyalty and love; Tony Cooke, Russell Meek, and Tony Wood for their lifelong friendship; and a group of friends who meet on Wednesdays for a pint for helping to keep me sane and for giving a sense of perspective.

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Glossary

bishop: local Christian church leader

caliph: deputy of Muhammad

church (*ecclesia*, *ekklesia*): the Christian religious community

Catholic: pertaining to the western Christian church

clergy: Christian religious officials or priests

commune: self-governing town or village

Consensus (*ijma'*): the agreed doctrines of early Sunni jurists

creed: official statement of religious belief

episcopal: pertaining to a bishop

falsafa: philosophy in the Muslim neoplatonist manner

feudalism: system of landownership and military service based on oath of mutual fidelity

hadith: report of what Muhammad said or did (also 'tradition')

imam: leader of the Muslim community

madrasa: religious college

muhtasib: supervisor of public morals

Orthodox: pertaining to the eastern Christian church

papacy: the see of Rome

papalists: advocates of papal authority over secular rulers

pope: the bishop of Rome

qadi (Turkish *kadi*): Muslim (religious) judge

see: the region under the jurisdiction of a bishop

Shari'a: revealed ethical and legal code (of Muslims)

sunna: orthodox Muslim tradition

'ulama: religious scholar-teachers; Muslim clergy

'umma: the Muslim religious community

zakat: alms prescribed by Islam

Abbreviations

BT	Brian Tierney, *The Crisis of Church and State 1050–1300*
CD	St Augustine, *De civitate dei* (*The City of God*)
CHI	*The Cambridge History of Iran*
CMPT	*The Cambridge History of Medieval Political Thought*
CPR	Ibn Rushd, *Commentary on Plato's Republic*
CSEL	*Corpus scriptorum ecclesiasticorum latinorum*
DP	Marsilius of Padua, *Defensor pacis*
EB	Ernest Barker, *From Alexander to Constantine*
EBa	Ernest Barker, *Social and Political Thought in Byzantium*
ECW	*Early Christian Writings*
EI	*Encyclopaedia of Islam*
EM	Ehler and Morrall (eds.), *Church and State*
LM	Lerner and Mahdi, *Medieval Political Philosophy: A Sourcebook*
Reg.	Gregory VII, *Registrum*
PL	*Patrologia Latina*
SPV	*The Sea of Precious Virtue*
VC	al-Farabi, *The Virtuous City* (or *On the Principles of the Views of the Inhabitants of the Excellent State*)

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Introduction

SCOPE OF THE BOOK

This book is primarily about the West and Islam. Byzantine political thought is discussed, less comprehensively, because it belongs to the same (as it were) extended family, and some of the differences and similarities between Europe and Byzantium are almost as striking as those between Europe and Islam, and no less in need of explanation. It is not always appreciated how much Muslim political thought owed to ancient Iran, which, therefore, will also receive occasional mention.

The descendants of these three cultures are among the principal actors on the world stage today. Studies of ideological conflict have recently, for political reasons, focused on the West and Islam. Russia, in some respects the ideological heir to Byzantium, for so long the focus of academic as well as other forms of attention, has recently been unduly neglected.

THE ARGUMENT

The argument of this book is, first, that up to *c.*1050 Christian Europe, Islam, and the Byzantine world had more in common than is usually thought; and, secondly, that what decisively differentiated them was the papal revolution of the late eleventh century followed by Europe's twelfth-century renaissance. The truth of the first argument does not depend on the second; the truth of the second argument depends to some extent on the first. The reader may agree with neither of these arguments. But if he or she agrees with the first and not the second, then he or she must find another explanation for the subsequent divergence. That the political

thought of Europe (or the West) and of Islam were very different in modern times cannot be denied. I would not be unhappy if someone found a different explanation for the divergence. Unlike the great man to whom this book is dedicated, I am not quite certain that I am right.

These three cultures in particular invite comparative study because they shared a number of common legacies. Islam and Byzantium are the cultures which appear, at first sight, to have had most in common with the West. They were also physically adjacent, they fought and traded with one another. There was some dialogue between them, though less than one might have expected. Much attention has been paid to the influence of Muslim philosophers on medieval Europe; indeed, in the course of recent polemics, it has been somewhat exaggerated. The influence of Ibn Rushd on Marsilius of Padua's political thought, on the other hand, is fully examined here (pp. 51–7) for the first time. The influence of European thought on the Muslim world in more recent times has arguably been far greater. The effects of this influence are, however, being increasingly contested among Muslims. 'Fundamentalism' is, among other things, a backlash against it.

BACKGROUND

The Byzantine empire, the West, and the world of Islam constituted three separate but adjacent cultural zones bordering one another. Islam was the revolution that succeeded, last of the axial movements. It burst upon the world with the energy of new collective self-awareness. As a civilization, it straddles the historical ridge between the ancient monarchies and the deconstruction of the state in our postmodern world. It extended from the Atlantic to the Himalayas, the Caucasus to the Sahara. It included the territories of ancient Egypt, Mesopotamia, Syria-Palestine, and Iran (up to and beyond the Oxus), the only one which had survived as a distinct culture until the coming of Islam.

The West gradually became distinct in religio-political culture and organization from the eastern Roman empire after the transfer of the capital to Constantinople (330). After the Germanic invasions of the fifth century and the collapse of imperial power in the West, its centre shifted

towards the new nation-kingdoms of Visigothic Spain, the Franks, and various German tribal groupings. It lost Africa and Spain to the Arabs, but Spain was reconquered from the eleventh century. The Latin Catholic West, then, included western Europe, the German-speaking lands, and eventually Hungary, Poland, and Scandinavia. Between the eighth and the eighteenth centuries, one may loosely equate the West with Europe. After *c.*1776 'the West', of course, includes North America and other countries whose culture and polities derived from Europe. Nowadays 'western political thought' refers more to values than regions.

The Byzantine or East Christian cultural zone lost Egypt, Syria, and Palestine to the Arabs. In the Middle Ages, it comprised those peoples and lands of eastern and south-eastern Europe that adopted the religion and culture of Greek-speaking Constantinople, notably Bulgaria, Serbia, and finally Russia. These imitated the Byzantine form of sacred monarchy.

All three cultures were agrarian monarchies. Power rested with agricultural-military complexes organized in landlord–retainer relationships ('feudalism'). Cities, commerce, craft production were most advanced in the Muslim world until the twelfth century. It was implicit in the religions of all three cultural groups that each considered itself unique and superior to all others. Byzantium was politically the most centralized; its emperor claimed suzerainty over the new independent nation-kingdoms of Bulgaria, Serbia, and Russia. The Muslims were (theoretically) a single people under a single leader (imam, the caliph or deputy of the Prophet); in practice they were divided into dynastic states. There was an element of permanent revolution: for example, the Sevener-Shi'ite Fatimids took over Egypt in the ninth century; and west African tribal dynasties took over Spain in the eleventh century. The West was united, for religious purposes only, under the papacy.

This book focuses primarily on the period from the rise of Islam in *c.*632 to *c.*1450. It may seem bizarre to go so far back, especially since one purpose of this book is to explain the present. The reason is that this was the formative period for the political thought of both the West and the Islamic world. The year 1453 marks the collapse of Byzantium. These were also the centuries when the cultures in question are most obviously comparable, as regards the kind of political literature they produced, the kind of subject matter they treated, and sometimes in the conclusions they reached.

What came before 632 and after 1450 is also part of the story. The political thought of eastern Christendom was formed before the rise of Islam. What is nowadays called western political thought also started a long time before Islam, being integrally connected with early Christianity and the late Roman empire. And it goes without saying that in 1450 western political theory as we know it today had barely got off the ground. Since then, western political thought has become more and more different from anything that had gone before, either in its own past or in other cultures. Islamic political thought remained almost completely fixed. The West and Islam simply became more and more different, and that is about all there is to say by way of *comparison* after the fifteenth century.

Chapters 1 to 6 deal with specific topics. These (unless I am mistaken) emerge from the subject matter. They are designed to work equally well for the West, Islam, and Byzantium. It is difficult to devise categories that do not relate more to one culture than to another (holy war is primarily a Muslim category, the nation a western one). Within each of these chapters, the topics are dealt with in the order in which ideas were expressed. Chapters 7–9 deal with a continuous historical sequence. Chapter 7 considers the impact of the papal revolution (*c.*1050–*c.*1150) on political thought; and similar developments in the Muslim world. Chapter 8 examines the development of political thought in the West from the twelfth century onwards. Chapter 9 looks at the influence of the West on the Muslim world and Russia.

THE ADVANTAGES OF COMPARATIVE STUDY

Comparative study of the history of political thought throws light on the traditions, sources, methods and approaches, trends of opinion, and innovations in each culture, by examining whether or not these were replicated in other cultures. Other societies are the nearest thing any historian has to a repeatable experiment. It is one indispensable method for generating hypotheses about the causes of development or change. One needs, therefore, to examine traditions which did *not* lead to ideals or ideologies such as democracy, liberalism, nationalism, or to the modern state and capitalism; and to enquire why they did not. What was it that caused

political ideas such as state sovereignty and representation of the people to develop in one milieu but not in another?

We find that the idea of 'holy war'—going to war on religious grounds, either to defend one's faith or to disseminate it—far from being peculiar to Islam, was more or less invented by the late Roman empire, and adopted by the new nation-kingdoms of Europe. This may not be the only throwback to a common earlier culture which seems to have survived only in Islam, or in some versions of it. Again, some early Muslim philosophers and jurists had a 'Hobbesian' theory of the origin of authority (Chapter 2); and there were 'Machiavellian' ideas in the Muslim Advice to Kings literature from the eighth century onwards (Chapter 5). The former derived in part from ancient Greek sources, the latter from Indo-Iranian sources. Now, it so happens that Machiavelli and Hobbes are seen as examples of great originality within the western tradition. Their views, it is true, were unprecedented in Europe. Neither the Arabic thinkers nor their Indo-Iranian sources were known to either Machiavelli or Hobbes. One may conclude, therefore, that these ideas arose spontaneously in two quite separate milieux. This shows that people in different cultures sometimes reach the same conclusions. This may be hardly surprising, but it is not always recognized.

In his *Economy and Society*, Max Weber (1864–1920) surveyed and classified the political cultures of practically every civilization, in particular those aspects which (he thought) underlay the economic and political action of individuals and groups. But no one has attempted anything on this scale since; and Weber's work was not a history of political thought.

By 'comparing' I mean finding out, first of all, in which respects ideas put forward in one culture differed from, or were similar to, those put forward in another. This book seeks to understand and explain the nature and causes of such differences or similarities. Were they different or similar in origin? Did they converge, or diverge, over time? What light (if any) do the answers to such questions throw on the philosophies and ideologies of the West and Islam today?

One gets a much better understanding of the history of ideas in any culture by being able to compare it with what took place in another culture. Islam and Europe both had recourse to Abrahamic monotheism and neoplatonist philosophy. The fact that they were, despite this, so different, forces us to reconsider the influence of ancient texts and traditions. This

leads one to ask whether sources which they did not share may have had more influence than previously recognized.

Comparison between Islam and the West suggests that the overall religious or cultural mindset is more important in the long term than specific doctrines (such as absolute monarchy or the rule of law). Western and eastern Christians drew some wildly different political conclusions from the same sacred texts. Some in the Islamic world and in the West adopted quasi-rationalist views about how one knows something to be true, which differed radically from those of some of their own co-religionists. But both philosophy and the appeal to reason as an independent guide died out in the Muslim world; while in the West they became established and respectable pursuits and methods of argument (Chapter 6). This was one underlying cause, though not the only cause, for political thought being so different in the two cultures.

TIME-SCALE

This book attempts to encompass both all genres and the entire lifespan of political thought in the West and Islamdom. One could confine oneself to comparing works in a specific genre in Europe with those in a similar genre in Islam, for example, exegesis of religious law, commentaries on Aristotle, or the Muslim Advice to Kings literature and the European Mirrors for Princes; or again, to comparing arguments for specific programmes, such as monarchy or resistance to a bad ruler; or again, arguments by or on behalf of political actors or groups, such as rulers or religious leaders. This would be a different kind of exercise, and would raise problems of context. In order to understand a topic (such as law), or again an individual thinker, one has to be aware of the whole in which these functioned. Political thought often, but not always,[1] has some relationship to contemporary political events and institutions.

Ideologies, and the ways in which they are articulated in treatises and other documents—our only means of knowing about them—may, or may not, change over time. If they do change, the historian has to understand, and if possible explain, the change. If they do not change, this too requires explanation. If the same views are expressed generation after generation,

this may suggest either that they are somewhat detached from reality; or again that they acted as some kind of brake; or something else.

In order to understand the ideological evidence at any particular point in time, one has to know its antecedents. It also helps to know what came afterwards. One's understanding of the theory of mixed monarchy in medieval Europe may be affected by the ways in which monarchies and parliaments fared in the early modern period.

Comparison of ideas *de longue durée* is especially important, essential perhaps, when one is comparing the political thought of two entire civilizations. For the ideas expressed in one period may simply disappear; or alternatively, they may go on being repeated time after time; or again, they may be followed by something different, which they may, or may not, have given rise to, or influenced. And again, the same or similar ideas may be expressed in another culture either simultaneously, or at an earlier, or again at a later, time; and these too, of course, may develop into a full-blown tradition, or disappear. Thus, for example, if one compared the period when neo-Greek philosophy was blossoming in the Arabic world (the ninth to the twelfth centuries) with political thought in Europe at that time, one would conclude that the Islamic world was far more advanced: it was intellectually flourishing while Europe and Byzantium lay dormant. (This has become almost a cliché of cross-cultural comparisons—not to say inter-faith dialogue—today). What would be missing from such a view would be any grasp of what happened next: for which see below. Similarly, Muslim jurists developed sophisticated criteria of interpretation long before their Latin counterparts; here there was no influence from the one to the other, so far as one can tell. These are only random examples of why a comparison of Europe and Islam that was confined to a particular period would tell less than the whole truth.

A belief-system such as Christianity or Islam frequently undergoes considerable change in the way it is practised, even if it changes less (or not at all) in the way it is preached. What present themselves as traditions, whether Christian creeds or the Islamic sunna, may not appear to change over time. But the way they are practised, the meanings they have for people, the ways they are interpreted, may change.

Christians, Muslims, or others often say, of either Christianity or of Islam or of another belief-system today, that they should *adapt* to present-day circumstances in certain ways. This assumes that they can adapt

without becoming something different. Hence it helps to know whether, to what extent, and how they have adapted to changed circumstances in the past. One may see how various possible meanings of a given belief-system have been put into practice, developed, modified, reformulated, or changed; and, perhaps, exhausted. Thus history, among other things, assists reflection among those within a given belief-system, or discourse between adherents of different belief-systems, or understanding by those outside.

In political thought, the Byzantine world was the most static. There was no serious renaissance of ancient learning, art, or philosophy. Byzantium exerted little influence on the West or on Islam, and does not appear to have been influenced by them so far as political thought was concerned. It bobbed, as it were, over the seas in a sealed container.

Islamic political thought developed fast during its first five centuries, then came to a standstill. During its vital period, political ideas were expressed in three separate genres: (1) Advice to Kings (*nahisat al-muluk*), (2) religious jurisprudence (*fiqh*), (3) philosophy in the neoplatonic style (*falsafa*). Islamic political philosophy went into decline after *c.*1100, with the major exceptions of Ibn Rushd, Nasir al-din Tusi, and Ibn Khaldun. 'Advices' went on being produced into late Ottoman times, religious jurisprudence till this day. In Shi'ite political thought there were dramatic changes in Iran during the sixteenth and seventeenth centuries (Chapter 7).

European or western political thought developed more slowly, but it has developed continuously ever since, undergoing a series of major transformations. The first stemmed from Constantine's legitimization of Christianity (313). The second constituted the 'first European revolution' by the papacy in the eleventh century (Chapter 7). There followed the Renaissance, the Protestant Reformation, the development of science, the Enlightenment, and so on. One can perhaps see the first sign of a distinctively western political outlook when Ambrose excommunicated the emperor Theodosius (below, p. 17), thus implying that the Christian church had independent standards of behaviour, in light of which certain acts of Roman imperial policy were not acceptable. St Augustine was the first theorist since Cicero to introduce a new political paradigm. By the time Muhammad arrived, the West was on its own course, if not yet irreversibly.

In Europe political ideas were expressed in academic works on (1) theology, (2) canon and civil law, and (3) commentaries on Aristotle's *Nicomachean Ethics* and *Politics*. (4) Separate tracts were written, from the papal revolution onwards, defending specific theses.

It was, I argue, the movement spearheaded by Pope Gregory VII (r. 1073–85) which made the West irreversibly different, by the reactions it provoked as much as by what it said and did (Chapter 7). We in the West today are living in a largely post-Christian and post-Renaissance society. Yet western civilization, even in its bid for global hegemony—and indeed the UN itself—bear the marks of their origins in Christianity and Stoicism, such as the priority of liberty and the doctrine of human rights, though the West bears no discernible relationship to other putative forebears, such as the Roman Republic and democratic Athens.

TERMS

'Political thought' is a problematic category when one is dealing with cultures in which it was not (with few exceptions) recognized as a distinct pursuit. In all three of the civilizations under consideration, it is impossible to disentangle political from religious thought.[2] Recognizing the kinds of relationships that there were between religion and politics (Chapter 1) is crucial to understanding either. 'Political thought' is intended to include both philosophical discussions and the political convictions of different groups of people and their rulers (political culture). Sources include systematic treatises, occasional writings, official documents, popular slogans.[3]

When one is talking in the same breath about different cultures, one can hardly avoid using general terms, such as 'religion', 'politics', 'state', 'class', 'nation' whose meaning varies considerably across cultures. Much historical terminology has acquired specific meanings in association with the milieu which has been most studied, which often means Europe. I have tried to empty terms like 'state' or 'empire' as far as possible of such culturally specific meanings. Terms like 'feudalism' should only be used in the European context for which they were invented (Black 1997*b*). I have tried to minimize potentially misleading uses of general terms. But one can

hardly avoid sometimes using words which have a different resonance in different cultures.

NOTES

1. Al-Farabi's *Virtuous City* seems deliberately to avoid contemporary reference. See also J. Dunbabin, 'The Reception and Interpretation of Aristotle's *Politics*', in *The Cambridge History of Later Medieval Philosophy* (Cambridge: Cambridge University Press, 1982), 732–5.
2. One may do so in the West after the eighteenth century, but even this is contentious.
3. Black 2002: 244–51. Ideas and attitudes may be inferred from casual statements, from institutions and the way they function, and from policies pursued, the types of solution people sought to political problems.

1

Religion and Politics: The West, Islam, Byzantium

In Europe, Islam, and Byzantium most aspects of political thought and practice were affected by religious beliefs. Religious norms were dominant in theory, if seldom in practice. Whereas all pre-modern societies had a priesthood or clergy of some kind, in the Abrahamic faiths those assigned to look after religious matters were custodians of an infallible revelation from the one true god, set down in writing. This made it likely that they would stand outside and above the rest of society; that they would have an independent and potentially superior status.[1]

RELIGIOUS AND POLITICAL SPHERES AND AUTHORITIES

Christianity and Islam had fundamentally different views on the connection between religion and politics. Early Christianity was apolitical, whereas original Islam had a political as well as religious mission. But the pressure of historical circumstancess led members of each faith to modify these original positions, occasionally leading almost to convergence. Then again these modified positions proved unstable; the original positions of each faith were insisted upon by theorists. In the long run the original positions exercised significant influence on the structure of politics and society in both Islam and the West.

Original differences

Early Christianity

Although Jesus had a revolutionary moral and social programme, the first Christians did not have a political programme in any ordinary sense. They

expected the almost immediate return of Christ the Messiah who would create a 'new Jerusalem' where all wrongs would be put right. Some Shi'a Muslims held—some still hold—a similar view about their Twelfth Leader (*Imam*). Jesus tried to avoid ordinary politics, and early Christians rejected political engagement. This was encapsulated in 'render unto Caesar the things that are Caesar's, and unto God the things that are God's' (Matt. 22: 21). Throughout history, Christians explicitly distinguished between the spiritual, heavenly, or ecclesiastical and the temporal, earthly, or secular. Christians saw current politics as morally dubious and spiritually insignificant. They tolerated the state, in some cases reluctantly.

Early Christians also had a revolutionary legal agenda. Jesus and his followers rejected the Jewish code, indeed any legal code, as morally inadequate. Christianity rejected the very idea of a divinely ordained law as a vehicle of salvation, and replaced it with forgiveness and general moral principles. Christianity deliberately sought not to organize behaviour in detail. In effect, Christians left the application of moral principles to the guidance of the Holy Spirit—god within oneself. This too was partly because they believed the Christ was to come again very soon. On politics and economics, Christianity relied on the individual conscience, common sense, and expediency.

The most original, and in world history the most influential, contribution to political thought was the invention of the church as a sacred organized society separate from the state. Wherever they lived, Christians formed parallel societies: 'they live in their own countries, but as aliens; they share all duties like citizens and suffer all disabilities like foreigners; every foreign land is their country, and every country is foreign to them'.[2]

For its members, the *church* had as close a relationship to divinity as the sacred *monarchies* of Egypt, Mesopotamia, and China had for theirs; many of the same qualities were ascribed to it as those cultures ascribed to their kings; it had the same—or greater—existential meaning for its members. Yet it claimed no coercive authority.

What was equally original, especially in a Jewish context, was the Christians' acceptance of the legitimacy of a public order and state authority which was, in their initial view, quite separate from their concerns, separate from their spiritual community, and independent of their control. Paul insisted on the divine origin and purpose of state authority; it is god's servant (*diakonos*) commissioned by him to punish wrongdoing;

Christians have a very strong obligation to obey it (Rom. 13: 1–6, 1 Peter 2: 13–15).

Early Islam

Islam, by way of contrast, set out to order personal and social behaviour in detail on the basis of a new revealed religious code, based on the Quran and the hadith (sayings of the Prophet).[3] 'Marriage, divorce, inheritance, slavery and manumission, commerce, torts, crimes, war, taxation, and more' were all provided for by their Prophet.[4] Early Islam differed from early Christianity in aspiring to cater for every aspect of living. The focus of Islam was its Religious Law (the Shari'a): 'living in accordance with god's law was the essence of religion . . . *shar'* (law/right) was often used to mean religion in general' (Crone 2004: 8). 'The foundation of this religion is jurisprudence', said al-Ghazali (*Revival*, book 1, p. 13). 'Orthodoxy' was a juristic concept meaning correct interpretation of the Shari'a. For Sunni Muslims, the Shari'a interpreted by the consensus of early jurists (*fuqaha*) was the full and final embodiment of justice; this was fixed once and for all, it could not be reinterpreted. Political activism stemmed from the duty of all Muslims to 'command right and prohibit wrong' (Crone 2004: 300; Cook 2000).

Christianity, on the other hand, in both the Sermon on the Mount (Matt. 5: 1–7: 29) and St Paul's epistles, explicitly rejected the idea that adherence to any law could bring anyone nearer to god. For Christians, the divine law praised in the Psalms either meant ethical conduct in general, or was a metaphor for obedience to god. Except for marriage and sexual conduct, there was no detailed religious blueprint. Consequently, in Europe a good deal of law lay quite outside the religious sphere.

Both the Christian *ekklesia* and the Islamic 'umma aspired to reach out to mortals throughout space and time. But Islam, unlike Christianity, saw its mission as involving the replacement of existing goverments by a new system of social leadership and control. They thought that without political control one cannot propagate true religion effectively. Their religion and its law were for this life as well as the next. One of the ways in which they thought Islam was superior to Judaism and Christianity was that these had failed to recognize the need to exercise power and social control. Muslims criticized Christians and Jews for failing to grasp the

connection between the spiritual and the material. 'None of the [other religions] includes such a generous portion of political precepts as does Islam. Judaism is based upon superiority pure and simple, and Christianity upon humility pure and simple. [But] humanity can achieve its full flowering only where there is a mixture of religious and secular considerations and a combination of other-worldly and mundane factors' (al-'Amiri, d. 992, from eastern Iran: F. Rosenthal 1956: 51). One is reminded here of the criticism of Christianity by Marxists. Both Muslims and Marxists see Christianity as too otherworldly.

Early Christians did indeed see 'this world' as a hopeless case. Only when their Messiah showed no sign of returning did they start thinking about what a just society would look like. Muslims, on the other hand, thought from the start that they were in possession of a divinely revealed set of governmental, social, and economic institutions.

The early Muslims set out to achieve their universal mission by conquering and ruling as well as by preaching and example. Muhammad and his deputies (caliphs) were thought to have a right to rule the whole world. Muslim leaders claimed that they were establishing a new kind of government, based on a revelation which included perceptions of social and economic justice. The caliph's role was (in western language) secular as well as spiritual. Whereas disagreements among Christians tended to be about the Trinity and the Incarnation, disagreements between Muslims tended to be about who should lead their community, and how he should be chosen.

The Shari'a, the caliph (or sultan), and religious teachers ('ulama) together occupied the space of *both* church *and* state in the West. There was no separate political sphere. There were indeed rulers other than the caliph—amirs, sultans—but these were part of the undifferentiated religious community. The caliphs claimed religious as well as political authority; there was no dividing-line between the two.

The Christian priesthood and the Muslim 'ulama had, as a consequence, somewhat different functions. Both of these clerisies were teachers of religious doctrine and moral guides. But, in addition to this, certain members of the 'ulama served as religious judges (sing. *qadi*) and market regulators (overseers of public morals: sing. *muhtasib*). These functions had no parallel in Europe or Byzantium. The Muslim judges were usually appointed and paid, and could be dismissed, by the caliph or sultan; the *muhtasib* was

appointed by the *qadi*. The rulings of the *qadi* and *muhtasib* were enforced by the sultan's police, much as in Latin Europe capital punishments for ecclesiastical offences such as heresy were carried out by the secular power.

Islam introduced its own legal system. Christians, on the other hand, accepted the jurisdiction of Roman law. They did, however, have their own church courts to deal with religious matters, such as the sacraments including marriage, doctrinal orthodoxy, and sins which might lead to exclusion from the church. This meant that in Christendom there were two sets of public authorities side by side.[5] The structure of the church was seen as separate from secular government. The scope of church courts expanded after the emperors became Christian and in the European Middle Ages, to include disputes between clergy and non-clergy, crimes by the clergy, and inheritance. Criminal and civil law was otherwise dealt with by secular courts, so that in Europe and Byzantium there were two separate judicial systems, operating under canon and civil law respectively.

Muslim states also enacted non-religious laws (sing. *qanun*); these were intended to supplement the Shari'a. But there was usually only one set of lawcourts, run by the religious judges, and applying both the Shari'a and *qanun*.

Muslim thinkers indeed argued that religious belief and a law emanating from god were needed to ensure good behaviour and social stability. Most people, it was argued, will only accept constraints on their behaviour if these come (or appear to come) from god; it helps if the person establishing them performs miracles. Rules such as fasting and pilgrimage, the purpose of which may not be immediately apparent, remind people of god and punishments and rewards in the afterlife, and so perform the latent function of underpinning social morality.[6] Religious law-codes, and pre-eminently the Shari'a, can be justified on social as well as religious grounds. This social function of religion was not recognized in Europe until Durkheim (1858–1917). This was perhaps because Muslims saw the spiritual and the social as parts of a single whole.

Convergence between the West and Islam

As time went by, however, Christian and Muslim views of political authority to some extent converged. Christian views of the relationship between

religion and politics, church and state, changed after the Roman emperors began to back Christianity in the fourth century. Early Christians do not seem to have thought that god had prescribed any particular way of ruling a state. But in the fourth century—just midway between the rise of Christianity and the rise of Islam—Christian leaders and spokesmen, especially in the eastern half of the Roman empire, began to see the Roman emperor as an integral part of the divinely ordained order of history (below, p. 76). Eusebius (263–339) wove the Roman empire into the Israelite notion of divinely guided history. Through 'the work of divine and ineffable power', the Roman empire had, just at the time of the Incarnation of Christ, ended divisions between peoples and brought peace to the world (in EB 474–7). The Roman monarchy and Christian teaching were 'two great powers' which 'came forth to civilise and unite the world' (cited Nicol, *CMPT* 54–5).

The Old Testament gave Christendom, both in the East and in the West, a language of sacred monarchy which reached back to early Egypt and Mesopotamia. Israel had transferred it to the ineffable JHWH, Christianity to the god-man Jesus Christ. A monarch, absolutist and imperialist in tone and often in fact, was said to represent the Israelite shepherd, David, and the Nazarene carpenter, Jesus, 'the all-ruler (*pantokrator*)'. The emperor (now called *autokrator*: the one who rules by himself) was Jesus's deputy as the caliph was to be Muhammad's. Imperial Christianity, like imperial Confucianism, fused military and bureaucratic power with ethical idealism. The attitude of Christians towards the state was completely transformed from indifference or rejection to enthusiastic embrace.

The model Byzantine emperor Justinian (r. 527–65) said 'priesthood and empire do not greatly differ from one another'.[7] Emperors now convoked and presided over the highest church authority, the ecumenical (worldwide) councils of bishops. The emperor, seen as the guardian of the true faith, took part as an 'equal of the apostles' in its formulation. He controlled the appointment of bishops, including the patriarch of Constantinople, the senior churchman of the East (Dagron 2003: 298, 307). It was the system that became known as Caesaropapism. The emperor, like the caliph, saw it as his responsibility to defend orthodoxy against heretics and infidels, by holy war if necessary (A. Cameron 1985: 256).

Eusebian ideology left its mark on the Byzantine East, and also influenced the West (*CMPT* 53, 93). Both the Roman papacy and later the

caliphate adopted the ideology and trappings of sacred monarchy. So too did the new monarchies of both western and eastern Europe. It was in the East Roman (Byzantine) empire that this affected the relations between church and state most of all. For more than a thousand years, the eastern church regarded the empire as a sacred monarchy and an essential part of the expression of Christ in the world. This ideology was transmitted to the monarchies established by peoples converted to eastern Orthodoxy: Bulgaria, Serbia, and finally Russia. In 1391 the patriarch of Constantinople told the prince of Moscow: 'it is not possible for Christians to have a church and not to have an empire' (cited Nicol, *CMPT* 73). He was referring to the Byzantine empire, but the Russian tsars of the fifteenth and sixteenth centuries applied it to themselves. State domination of the church was most complete in Russia after the 'reforms' of Peter the Great. This union of throne and altar lasted till 1917.

Hence in the Byzantine as in the Islamic world there was, in theory as well as practice, a symbiosis between the religious and the political spheres and their respective authorities. Byzantium and Islamdom conformed to the pattern of unified sacred monarchy found in most agro-military societies. Although Islamdom, like East Rome, was heir to the Middle Eastern tradition of patrimonial monarchy (below, p. 58), it was not directly influenced by East Rome.

It was otherwise in the West. After the fourth century the differences between eastern and western Christendom became almost as great as those between either and Islam. Indeed, as time went on, Byzantium and Islamdom had more in common with one another than either had with the West. The difference lay above all in the way that church–state relations evolved, and in the way they were theorized. After Constantine, the separation between church and state continued much longer in the West. In the fourth and fifth centuries the ideal of ecclesiastical independence that was to characterize western thinking began to take root. Western church leaders insisted not only that the spheres of church and empire were separate, but that the church had authority over the emperor in spiritual and ecclesiastical matters, leaving secular matters to the emperor. In 390 Ambrose, archbishop of Milan, excluded the emperor Theodosius I from the church sacraments because he had ordered a massacre: in this respect, Ambrose insisted, the emperor was after all just another Christian, 'in the church, not above the church'.[8] The tenor of Augustine's *City of God* was to

elevate the church, which represented 'the heavenly city', above the state, which represented 'the earthly city'.

During the invasions before and after the end of the western empire (476), church leaders managed to hold on to, redefine, and reinforce the distinction between church and state and their respective roles. The papacy, evolving into a sacred monarchy itself, was a countervailing force against territorial kings. But some went further, insisting that, while the spheres are distinct, the church's sphere is more important and its authority, therefore, more exalted. Pope Gelasius I (r. 492–6) declared, in a letter to the Byzantine emperor, that, on the one hand, Christ had 'separated the duties and powers of each . . . so that Christian emperors should rely on bishops for eternal life, while bishops should accept imperial governance in temporal matters'. Christian emperors hold power from god only over state affairs (*publicis rebus*); in things that affect the future salvation of the soul, such as the sacraments, the emperor must 'recognize that [they] should obey rather than control the religious establishment (*religionis ordine*)', subjecting themselves to bishops, especially to the supreme bishop of Rome. This ruled out Caesaropapism; the emperor is allowed no part in decisions about Christian doctrine or church discipline. But in the same letter Gelasius also declared that 'the sacred authority of bishops (*auctoritas sacrata pontificum*)' carries 'greater weight' than 'the royal power (*regalis potestas*)'.[9] This was also the view of prominent eastern theologians such as John Chrysostom (patriarch of Constantinople 398–404) and John of Damascus (*c.*675–754, writing under the first caliphal dynasty, the Umayyads).[10] But in the West there were serious attempts to make such views a reality.

During the Dark Ages, however, there developed in western Europe as well symbiosis between church and state. This led to significant convergence with the world of Islam. From the fifth to the eleventh centuries there was, as Walter Ullmann rightly stressed, a single overarching 'Christian community (*societas christiana*)' which enveloped every aspect of life. Clergy and laity functioned, as in Islamdom, within a single framework. This is implied by Isidore of Seville, who was writing in Visigothic Spain, when he remarked that kings with their 'terror of discipline' are only necessary because not everyone listens to the 'spoken teaching' of priests.[11]

In response to the Muslim invasions of the eighth century, the Frankish kingdom and the papacy developed a new sense of Latin Christendom

as a strategic entity defined by its religious belief, structure, and identity. Western Christendom thus adopted something of the ideology of its invaders. According to the 'Donation of Constantine', forged at this time, the emperor had transferred the western territories to the papacy. Had this actually been the case, it would indeed have given the pope the same powers as a caliph. Some observers, Muslim as well as European, thought the roles of pope and caliph were alike (Arnold 1924: 167–9), but this was, at best, impressionistic.

Charlemagne (r. 768–813) claimed to be restoring the Roman empire. His coronation by Pope Leo III (800) suggested that the papacy desired a close relationship between the secular and spiritual leaders of western Christendom, partly in order that he might count on Charlemagne's military support. Later papalists saw this as a constitutive act by which the pope had bestowed the imperial sovereignty, which in their view was his to give, on Charlemagne. This was surely how the Sunni 'Abbasid caliph saw his delegation of governmental power to the Buyid sultan Adud al-Daula (977). But it was not how it was seen by Charlemagne and the Franks,[12] nor indeed (one must assume) by Adud al-Daula and the Buyids (who were Shi'a anyway). In both cases, the secular leader gained prestige, the spiritual leader military security. During the crusades, from the eleventh to the fourteenth centuries, western church leaders, especially the papacy, tried, mostly in vain, to act as leaders of a monolithic religious polity of the kind which their opponents in the Muslim world already had (in theory).

The most determined attempt to bring secular rulers under the control of religious authorities was during the papal revolution of the later eleventh century (Chapter 6). Pope Gregory VII argued that the pope must decide where the boundary between spiritual and secular lies. According to this 'political Augustinianism' (Arquillière 1934), states derive their legitimacy from the church, and their duties have to be defined according to Christian principles, which means by the clergy. The pope, as vicar of Christ, possesses 'fullness of power (*plenitudo potestatis*)'. This was now taken to mean that he held spiritual power and could exercise it (by excommunication, for example); he held temporal power in principle (*de iure*), but the actual use of this was assigned permanently and, given the spiritual and non-violent character ascribed to Christian clergy, necessarily, to others. Papalists sometimes spoke as if the use of temporal power had been 'delegated' to kings by the papacy (acting, to be sure, on a divine mandate);

in which case a pope could relatively easily take it away and delegate it to someone else. Others held that god himself, having established the division of powers, had assigned the temporal power to kings. This view made it much less easy for the pope or clergy to intervene. This middle-of-the-road theory was sometimes called the 'two sword' theory (based on Luke 22: 38; *CMPT* 288–305).

In the papalist view, kings do indeed exercise temporal power, but they are obliged to use it at the pope's request ('by his nod'). One might draw an analogy (though they did not) with a feudal landowner whose tenants actually farm the land and are obliged to fight on his behalf. The pope may depose a seriously defective ruler: 'the spiritual power has to institute the earthly power and to judge it if it turns out not to be good' (Hugh of St Victor, *c.*1098–1142). Although a separation of powers was laid down by god, the pope could tell a king how, in a specific instance, his secular power ought to be used for spiritual purposes. In 1302 Pope Boniface VIII declared that both 'the material sword' and 'the spiritual sword' belong to the church; the former is used by kings and soldiers for the church, the latter by the clergy themselves. But 'one sword ought to be under the other and the temporal authority subject to the spiritual power' (Watt 1988: 397–402).

There have also been attempts in the West to subordinate the church to the state, which would have produced something similar to Byzantium and the sultan-caliphs (below, p. 25). This was the strategy of the Germanic empire (founded by Otto I in 962), in which episcopal appointments were subject to imperial approval, and bishops served as agents of the state (the system known as 'the imperial church' or *Reichskirche*). This model was defended on the basis of ancient Israelite exemplars by Gregory VII's opponents. A few pro-secular authors, such as the radical English reformer John Wyclif (d. 1384), argued that it was the king, not the pope, who was the vicar of Christ and represented god on earth.

The most celebrated exponent of this view, long after it had ceased to be a real option and long before it once again became one, was Marsilius of Padua (1275/80–1342/3). And it so happened that he was the European theorist most influenced by Islamic thought, and the first European to use the staple Muslim argument that states are necessary because of human conflict (see below, p. 52). Like Muslims, he thought that the worship of god promotes 'welfare in the present life' and religion properly understood

'leads to safety in civil life and no small benefit in the eternal' (*DP* 4, 13–14, 501). Lutherans, Anglicans, and Gallicans accepted some subordination of church to state at a time when the ideology of sacred monarchy, also strong in Russia and the Ottoman empire, was being revived in the form of the 'divine right' of kings. The most systematic statement of the subordination of religion to the state was that of the architect of the modern theory of state sovereignty, Thomas Hobbes (1588–1679).

What was peculiar about the West was the reaction which attempts to conflate religion and politics, and in particular to assert the authority of the church over the state, provoked in the longer term. It was precisely the attempt to subsume the political under the religious which led eventually to the European concept of the state as independent first from the church, then from religion altogether.

Islam meanwhile, after the initial period, moved in an opposite direction towards some *separation* between the religious and the political. The original union between religion and politics began to dissolve into a division of roles between various leaders.

From the eighth century onwards, the caliphate was divided into separate territorial states ruled by sultans (lit. 'powers') or amirs ('commanders'). The caliph's political power was steadily diminished until, by the late tenth century, he barely controlled the environs of Baghdad. In 977 the caliph formally delegated his governmental powers to the Shi'ite Buyid sultan Adud al-Daula: 'it has pleased me to transfer to you the affairs in government of the subjects, both in the east and in the west of the earth, except my own private possessions, wealth and palace.'[13] All the caliph had now was his religious position as the indispensable figurehead of Sunni Muslims.

When, in the early tenth century, al-Farabi discussed the ideal city of neoplatonism, he had in mind the caliphate and Muslim community, not as these actually existed but as they originally were supposed to be. He seems to be describing the purely spiritual community of true believers.[14] In fact his excellent universal city aiming at true happiness (*VC* 231) is virtually equivalent to Augustine's city of god. Augustine thought the actual church on earth, with its bishops and congregations, was an approximate, but only approximate, realization of the heavenly city. Al-Farabi and Augustine have the appearance of meteors hurtling past one another in opposite directions: Muslim notions of the 'umma were becoming more

spiritual, while Christians, in their encounters with power, sometimes came close to insisting that the church really did represent the will of god on earth. In Augustine and al-Farabi they appear as if caught on camera at the moment of their intersection; their views of the nature of the supreme perfect society were at that instant remarkably similar.

It seemed, then, that there was after all going to be a separation between religious and political power in Islam. A century later, the theologian al-Ghazali (1058–1111) saw Muslims as belonging (in Crone's words) 'to two different communities, one religious and the other political, one the 'umma and the other the secular kingdoms into which it was divided' (Crone 2004: 243).

On the other hand, by the early ninth century the 'ulama had successfully appropriated the authority, claimed by some early caliphs, to decide what was or was not orthodox doctrine, and to interpret the Shari'a (Crone and Hinds 1986). From now on it was the 'ulama who may properly be called the religious authorities in Islam. They claimed that 'those in authority among you' (Quran 4: 62) referred to them rather than to the amirs (military commmanders).

To an outsider the relationship between the caliph and the sultans may look like a relationship between a nominal religious authority and the actual political authorities. But, as we shall see, orthodox jurists insisted the caliph was Leader of the People in the original unitary sense. Moreover, from the late eleventh century the politically powerful Saljuk sultan was credited with some of the religious functions originally belonging to a caliph, such as payment of religious judges and patronage of religious education and mosques (see below, p. 26).

Muslim jurists paid detailed attention to the relationship between caliph and sultan, but they do not seem to have said much about that between the caliph and the 'ulama: 'the dividing-line between the two jurisdictions remained not just fuzzy, but studiously unexplored' (Crone 2004: 132).

Sultan and 'ulama

But the most critical relationship in real life was that between the king or sultan and the 'ulama within each territitorial state. The sultan commanded the military and extracted a tax surplus; the 'ulama taught the faith and adjudicated the Shari'a. One dynasty after another has been

outlived by the Shari'a-based 'ulama system subsisting in clans, villages, and town quarters, which survives to this day. It is here, therefore, that one finds the closest approximation to 'church' and 'state' in the West. And it is here that there does indeed appear to have been significant separation between the religious and political spheres and authorities.

Crone observes that, while the Shari'a covered 'holy war, taxation and other aspects of public organisation . . . its rules on these subjects were commonly ignored . . . Government now formed an almost completely detached circle of its own'. Yet the roles of the king and his agents, on the one hand, and of the caliph and 'ulama on the other, were not clearly demarcated.[15] The situation is complicated by the fact that after the caliphal dynasty of the 'Abbasids was destroyed by the Mongols in 1258, several sultans acted as, were tacitly seen as, and occasionally actually said they were, 'caliph' in their own territory (Crone 2004: 234–43).

In both societies, in one sense it looks more like symbiosis than separation. In both Islamdom and Christendom during the Middle Ages, rulers depended for their effectiveness on the, at least tacit, support of religious leaders, who in their turn depended on the ruler—king or sultan—to protect them, enforce their religious rulings, and fund religious buildings and education. A medieval king or sultan could usually count on the support of his clerisy.

Despite such similarities on the ground, however, these relationships were conceived and written about in very different ways in the two societies. Separation between religion and politics did indeed find some expression in medieval Muslim thought, notably in the royal Advice literature. Works in this genre were composed for sultans, courts, and bureaucrats; and it seems clear that it is the relationship between sultan and 'ulama, rather than between caliph and 'ulama, which these authors had in mind. In any case, and perhaps for this reason (since there was less of a doctrinal problem when the caliph was left out of the picture), they could occasionally speak of religion and government as two different spheres. The distinction between *din* (religion) and *daula* (state or dynasty) is commonplace. Even so they invariably go on to say that 'kingship and religion are twins' (Arjomand 1984: 93–4); that is to say, interdependence between religion and government is still taken for granted. 'The pen and the sword are brothers; neither can do without the other' (*SPV* 294). And whatever concerns people may have had about one encroaching on the

other, these are not voiced. The contrast with European political writings of all genres could not be greater.

Interdependence was implied by saying that political survival depends on religious observance. 'Whenever there is any disobedience of divine laws . . . kingship disappears altogether', said the eleventh-century Saljuk vizier, Nizam al-Mulk (Black 2001: 93). One finds an almost identical statement in the East-Roman empire much earlier.[16]

Bayhaqi (d. 1077), a historian, said that god 'has given one power to the prophets and another power to kings'.[17] A twelfth-century Advice book said that 'God has singled out two groups of men and given them preference over others: one prophets, and the other kings' (Pseudo-Ghazali, in Lambton 1980: IV: 105). Here we have the notion of two kinds of power, one religious, the other political, stated in language which superficially resembles that of writers in the Christian West. But the power of 'prophets' is presumably a thing of the past; and nothing is said about their relationship to one another.

Again, an ancient Persian saying that 'religion is the foundation of kingship and kingship the protector of religion' was frequently quoted. Al-Amiri glossed this: 'the relationship of religious to royal authority is like that of the foundation to the building erected upon it, and the relationship of the ruler to religion is like that of the person who undertakes the basic obligations of a covenant to the basic obligations themselves' (in F. Rosenthal 1956: 47–8). These statements clearly give the religious aspect a certain superiority; but they do not equate 'religion' with the 'ulama or any other persons or institution. They are, therefore, not truly comparable with either the eastern or the western Christian conception of church and state. They do not necessarily contradict it, they are just vaguer. In neither Islam nor Byzantium was there any suggestion that religious leaders have any practical or institutional authority over a king, such as was sometimes claimed for the clergy in Europe. This seems to have been as far as convergence between Islamdom and Christendom went.

Let us now turn to the religious jurists (*fuqaha*). They were the most widely respected and in the long term the most influential political theorists in the Muslim world. They wrote primarily for their fellow-'ulama. Writing during the Sunni revival of the mid-eleventh century, al-Mawardi reasserted the caliphate (leadership: *imama*) as the fulcrum of the political as well as of the religious order of society. His work came to be regarded as

the classic Sunni statement on the caliphate. Al-Mawardi responded to the *de facto* independence of sultans by insisting that they must recognize the formal sovereignty of the caliph; he would then reinstall them as legitimate Muslim rulers, formally delegating his rightful power to them. The caliph al-Nasir (r. 1180–1225) made a different attempt to bridge the gap between theory and practice by what was in effect a revolutionary move to make himself the effective *political* as well as religious head of Sunni Islam (see below, p. 141). Al-Mawardi sought to achieve his end by what was, in effect, almost a form of words: he redescribed political reality in such a way as to make the caliphate include government, thus showing that the original divine dispensation, with the caliph as the real leader of the 'umma, was still in force. The intense realism (or, if you like, insincerity) of the orthodox Sunni position comes out in al-Ghazali's statement that 'whoever receives allegiance from the holder of military power is caliph' (Crone 2004: 244, 238). Al-Ghazali was a deeply pious intellectual.

After the fall of the 'Abbasid caliphate (1258), sultans began to be caliphs in their own territories. From a structural point of view, one may compare the relationship between the caliphate and the various sultanates to that between the Holy Roman Empire, which was theoretically universal, and the separate kingdoms, dukedoms, and city-states. Kings were said to be emperors in their own territories, meaning that the emperor no longer had jurisdiction over them and they could exercise his sovereign powers themselves.

Al-Mawardi's method for dealing with the mismatch between political reality and what the law prescribed may be contrasted with that of Bartolus of Sassoferrato (d. 1357), the Italian civil-law jurist. Faced with a structurally similar contradiction between the theoretically universal sovereignty of the empire and the actual independence of kingdoms and many city-states, Bartolus argued that it was the civil law which should be adapted to take account of the facts as they stood. This approach was not open to al-Mawardi, since for him the law in question and the universality of the caliphate had been revealed by god. Then again there was the relationship between the papacy and the bishops in different dioceses throughout Europe. In this case, the papacy increased its control over the rest of the clergy from the late eleventh century onwards in accordance with what was believed to be the divinely ordained structure of the church; in religious organization, Europe became increasingly centralized.

A very different response to the situation from that of al-Mawardi came only a few years later from the statesman who was grand vizier (prime minister) to the Saljuk sultans from 1063 to 1092, Nizam al-Mulk. In his *Rules for Kings*, and in his policy as prime minister, he treated the kingship/sultanate as if *this* were the focal point of the Muslim community. Nizam assigned to the sultan functions which traditionally belonged to the caliph, such as payment of religious judges and patronage of religious learning. He supported the new idea of the sultan appointing a chief *qadi*. He arranged for madrasas to be set up in all major cities, and himself founded the Nizamiyya madrasa in Baghdad, where he insisted that all of the four schools of Sunni thought should be taught. The caliphate remains in the background (Nizam played a part in arranging the marriage of the sultan's daughter to the caliph).

The implication was that there should be one supreme sultan just as there was one caliph—both in Baghdad. Nizam al-Mulk implied that caliphal functions involving the funding of religious activities could be performed by the sultan. A somewhat similar situation under the Ottomans (when the original caliphate had disappeared) led them to merge the caliphate with the sultanate.

Nizam al-Mulk's book circulated among court elites throughout the Muslim world, including India, for centuries. These views pointed in the direction of the sultan-caliph, though this was not yet on the agenda. This most influential of Advice books, therefore, envisaged not a separation between the religious and political aspects of Muslim society, but a new framework for their reintegration with one another.

Similarly, Shi'ite jurists of the eleventh century modified the view that one should not hold office under Sunni rulers. It was permissible to hold office if by doing so one could help fellow-Shi'ites. A just ruler acts on behalf of the Hidden Imam.[18]

Return to original positions

After the fall of the caliphate, Ibn Taymiyya (1263–1328) reasserted a necessary connection between religion and politics in a different way. Ignoring the caliphate, he called upon the Mamluk sultan and other Muslim rulers to fulfil their religious duties; and he called on his fellow-'ulama to

re-engage with politics. He deplored both the absence of religious concern on the part of the sultan and the political indifference of the 'ulama. God has joined 'knowledge and the pen with their task of apostolate and persuasion, to power and the sword with their task of victory and domination ... religion without *sultan* (power), holy war (*jihad*) and wealth, is as bad as power, wealth and war without religion' (Black 2001: 155). The sultan should ensure that the Shari'a is properly and strictly implemented, and he should undertake holy war. In this way religion and government would be reunited. This too meant that in effect the sultan would be caliph in his own lands. This was perhaps, in the circumstances, a more realistic restatement of the original Islamic position than al-Mawardi's. It was the Mamluks who stemmed the Mongol tide and finally drove out the European crusaders.

The jurist Ibn Jama'a (1241–1333), a contemporary of Ibn Taymiyya but in Mamluk pay, went further than any other jurist in adapting religious doctrine to the realities of power politics and in accepting a separation between religion and politics. 'When ... an unqualified person seeks the Leadership and compels the people by ... his armies, without any bay'a or succession, then his bay'a is validly contracted, and obedience to him is obligatory, so as to maintain the unity of the Muslims ... This is still true, even if he is barbarous or vicious.' He went on, 'when the Leadership is thus contracted by force and violence to one (person), and then another arises who overcomes the first by his ... armies, then the first is deposed and the second becomes *Imam*, for the welfare of the Muslims and the preservation of their unity' (cited Lewis 1988: 102).

This removed the last vestige of religious and moral control over a ruler, whether caliph or sultan. It was Hobbesian legitimacy in Muslim dress. Although Augustine was unknown in the Muslim world, the Augustinian view that states are the result of human wickedness (see below, p. 45), that tyranny is better than anarchy, and that abuses of power are a punishment from god and should not be resisted (though they must be disobeyed on matters of conscience), was, between the eighth and eighteenth centuries, closer to mainstream Islamic political thought than it was to western Christian thought.[19]

We find, then, that the *fuqaha* who were most respected and in the long term proved most influential did not accept the separation between religion and politics, but rather insisted on reaffirming, in very changed

circumstances, the original indivisibility between them. When Muslim territory was under attack, we find the leaders of religion returning to politics. This happened under the Almoravids and the Almohads in twelfth-century Spain. The anonymous *Sea of Precious Virtue*, written by a member of the 'ulama in Syria (1159–62), urged the king and 'ulama to cooperate; the king should consult the 'ulama regularly, as the Franks consult their monks (*SPV* 215). In most Advice books, on the other hand, separation was recognized. But it was neither explored nor developed. There was no attempt to spell out the boundaries between the sphere of politics and the sphere of religion, nor between the authority of the sultan and that of the 'ulama.

Separation of church and state in the West

In eastern Christendom the relationship between emperor and clergy remained unchanged, at least in theory, until the fall of Constantinople. It was later replicated in holy Russia, the spiritual successor to Byzantium.

In western Christendom, on the other hand, the relationship between the religious and the political spheres, between the ecclesiastical authority of pope, bishops, and clergy on the one hand, and the secular authority of emperor and kings on the other, was the focus of intense controversy. It was explored from every angle and in minute detail, generating more volumes than anyone would care to read. One difference between western and Islamic or Byzantine political thought (or indeed that of other pre-modern cultures) was the wide variety of opinions expressed. The boundary between church and state was almost permanently in dispute: who should have the final say on which topics?

The view that religion and government are separate, and that church and state should be kept separate, was taken up again with renewed determination as a result of the papacy's attempt to assume authority over the political arena. Gelasius' statement, that there are two separate powers but the spiritual power has 'greater weight' (above, p. 18) was the most quoted text, apart from the Bible, on church and state. It could be used by people wishing to maintain the independence of either church or state from the other. It could also be used by those who wanted churchmen to be able to compel statesmen to do what the church thought right. In that case, the question might be said to revolve around whether the 'moral'

superiority of the clergy could be translated into institutional superiority. Could they depose a king who refused to obey them, for example? The situation was complicated because, in a Christian-majority society, the ecclesiastical penalty of excommunication could of itself undermine the position of a king. Still in the Gelasian spirit, modern Roman Catholics argue that the clergy and the papacy have a moral supremacy but that this should be enforced through public opinion and the conscience of statesmen.

The theory of state independence from the church progressed by stages. Thomas Aquinas (*c.*1225–74), one of the foremost philosopher-theologians of the Middle Ages and a member of the Dominican order of friars known for their support of papal authority, was noticeably moderate on the subject of papal temporal power. He made a point of insisting that 'in those things that pertain to the civil good, the secular power is to be obeyed rather than the spiritual' (*Commentary on the Sentences* II, d.44, q.2, a.3, ad 4). This may indicate a return to the view of Gelasius, that church and state are separate but not quite equal. John of Paris (*c.*1240–1306), also a Dominican but strongly opposed to Boniface VIII's attempt to assert papal sovereignty over the king of France, suggested that the clergy had only an 'indirect power' in the political sphere: they could influence people by their 'right of preaching' (Black 1992: 82–5).

At this point the analysis of church–state relations had an impact on other areas of political thought. It was in arguing the case for the independence of the state from the church that the idea that the state derives its legitimacy from the natural needs of human beings was developed (see Chapters 2 and 8). And it was in looking for a means of deposing a tyrant, other than papal intervention, that John of Paris and others empowered the people (see below p. 145).

Eastern Orthodox churches, meanwhile, were forced to accept separation between church and state after the fall of the Byzantine empire to the Sunni Muslim Ottoman Turks (1453), and then again after the Russian Bolshevik revolution of 1917. They seem to have returned, tacitly, to the early Christian model of a separate religious community within a hostile state. (In Russia it is beginning to look as if the state may once again be looking to religion—in this case, Russian orthodoxy—to provide a social bond not otherwise available.)

In the West, separation between church and state came still more naturally to Protestants, since they no longer regarded the clergy as a special group set aside by ritual. The chief concern of Reformers like Calvin was to ensure the independence of the church from state interference (E. Cameron 1991: 154–5). Many Protestant groups opted for detachment from the state, with little or no clerical machinery. Structurally, these resembled Sunni Islam with its informally organized 'ulama and absence of ritual distinction between clergy and laity.

But there are, as always, exceptions. Liberation theologians now say that the gospel itself gives Christians a specific political and economic programme: the 'option for the poor'. Today, in the very country which first enshrined separation of church and state in its constitution, the fundamentalist Christian 'religious right' makes a direct link between religious beliefs and a political agenda ('get baptized, register to vote'). This must be compared with the stance of Muslim fundamentalists. In much of Europe, in contrast to the recent past, separation between religion and government seems more secure. There may now be a division, this time within the West itself, over the issue of how religious belief should relate to politics.

Modern Islam

In the Muslim dynastic states since 1500 there was a tendency to look to religion for popular support. When the Ottomans lost the ability to expand through conquest (from around 1600), sultans were forced to rely partly on the 'ulama for popular support. In India Aurangzeb (r. 1650–1707) abandoned tolerance towards Hindus and engaged instead in repression and holy war. In late seventeenth-century Iran the 'ulama succeeded in imposing their will on the Safavid rulers (Chapter 7). In the Muslim world, religion seemed to be playing an increasingly important role in politics. There was no indigenous tendency towards secularization.

During the nineteenth and twentieth centuries, however, Muslim intellectuals seeking to counter European military and economic hegemony became convinced of the need to develop the kind of political structures that appeared to serve Europeans so well. They began to advocate the rule of law and constitutional democracy; the Young Ottomans especially

looked to the French Third Republic. Many regarded the ʿulama as obstacles to progress.

The Islamic faith itself was seen, in its currently debased form, as partly responsible for political inaction and general inertia. But few blamed Islam itself. Instead, they constructed a new history of Islamic societies: an originally virtuous and progressive faith, Islam had become corrupted to a point where nowadays most Muslims neither practised true Islam nor applied its principles to politics. They especially blamed tyrannical regimes of the past, and the accomodating attitudes of religious teachers such as Ibn Jamaʿa.

Political reformers in the Ottoman empire and elsewhere tended to assume that the state should function independently of the religious leadership. But very few embraced secularism in the sense of seeing Islam itself as anything but a desirable component of the good life (Black 2001: 294–5). Rather, they wrestled with the problem of how to reconcile democratic decision-making with adherence to the norms of original Islam. But this is exactly the same problem which Christians face. For divinely revealed norms read morality in general, and it is the same problem for humanists.

Very few political thinkers from the Muslim world, and even fewer religious scholars, have made any kind of case for a separation of religion from politics. Ziya Gokalp (1876–1924), a sociologist and supporter of Ataturk's project for a secular state, argued that the combination of religion with government was appropriate in the early stages of social development, but that in a more advanced society this should evolve into a separation between them.[20]

ʿAbd al-Raziq, a respected religious scholar at the al-Azhar university (writing 1924–5) who had studied at Oxford, attempted a fundamental revision of the way Islam was understood. He argued that Muhammad had given his religious community a political dimension, and engaged in politics, diplomacy, and warfare, only because of the circumstances in which Islam grew up. Such things were not intrinsic to Islam, which was essentially a moral and spiritual creed *without* a specific political agenda. It was therefore free, as Christianity was, to adopt whatever political form and methods seemed best to the consciences of its followers at any particular time. This was a radical reinterpretation of the Quran and the Sunna, and it was too radical for his fellow ʿulama. ʿAbd al-Raziq was condemned and lost his teaching position.

Despite the moves towards secularization in the twentieth century, the role of the Shari'a in the state has once again become a central issue in Muslim politics. The attempt to separate religion from the state has, in contrast to Europe and the West, been stopped in its tracks. The intiative now lies with those who reassert the need for an Islamic state. As Hasan al-Banna, founder of the Society of Muslim Brethren (1926) and of what is now known as Islamic fundamentalism, said, 'Islam is . . . religion and a state, spirituality and action, Qur'an and sword' (Black 2001: 319). Ataturk's abolition of the shadowy Ottoman caliphate (1922) was followed almost immediately by attempts to restore the caliphate in its proper form. Rashid Rida (writing 1922–3) tried to work out what this might be in the modern world (Crone 2004: 318). Shi'ism has also become fully politicized: in Iran senior religious scholars hold, like Plato's philosopher-kings, a veto over what it is permissible for mere politicians to do.

Islamic fundamentalists maintain that the Quran and hadith provide their own detailed blueprint for social, economic, and political life and institutions, and that this has the sanction of god. As we have seen time and again, this belief is as old as Islam itself: throughout history, Islamic reform movements have striven for a more thorough implementation of the Shari'a. This means the subordination of more areas of life to religious rules, and that means to the religious leaders who articulate the rules. I do not think this is an aberration, as is so often stated—because so many people wish it were true—today. Ibn Taymiyya inspired Wahhabism. It seems to me that the founding texts of Islam, to which conscientious believers are obliged to refer, make it always possible that some, in the attempt to practise their faith more conscientiously, will assert the need for their faith to become the basis for society and the state as a whole.

It seems that the separation of church from state has been nearly always regarded as the norm in Europe and the West, and the integration of politics with religion has nearly always been regarded as the norm in Muslim countries. In each culture, departure from these norms has always been open to challenge. The separation of politics from religion in Islam and the assertion of political control by religious leaders, or of control over religion by the state, in Europe and the West have been equally difficult to sustain. This may be due to the fact that both faiths are based on a textual revelation. But then there is the awkward fact

that in the (Christian) Byzantine empire and its (Christian) successor states, religious leadership has usually been closely tied up with state institutions.

POLITICAL PARTICIPATION

Should believers be politically active, or engage in politics at all? On this issue we find changes that amount not to convergence but to a direct swap of the original standpoints of Christianity and Islam. During the Middle Ages many Christians came to see political activity as following naturally from their religious conviction, certainly not incompatible with it. From the eighth century onwards, many Muslims came to see it as having nothing to do with religion.[21]

During the repeated invasions of western Europe from the fifth to the tenth centuries, western churchmen frequently stepped into a role of moral leadership in their communities. Collective action and government service were becoming part of normal life. Churchmen and nobles brought pressure on kings in pursuit of justice. In cities and villages whole communities ran their own affairs. Many writers, including clergy, came to see political involvement as desirable and praiseworthy; the Renaissance helped. Christianity having no blueprint for political society, they often took their political ideals from Rome and Greece.

After the civil wars of early Islam, pious teachers in the proto-Sunni tradition concluded on the whole that it was unwise to engage in politics. This was a sign of the gulf opening up between the politicians and a civil society bound together by religion and commerce. Muslim religious leaders were now largely indifferent to forms of government. Reluctantly or resentfully, they acquiesced in whatever regime was in force. The good religious life ceased to mean participation in politics, indeed it frequently appeared to be incompatible with it. Government service was to be avoided; it was immoral and dangerous. 'The worst kings are those who keep themselves distant from the 'ulama, and the worst 'ulama are those who seek closeness to kings' (*SPV* 297). With political quietism went the doctrine of non-resistance: anarchy is worse than unjust government.[22] This accompanied the transition from a predominantly tribal society to monarchical states. A

significant body of public opinion in Europe, by way of contrast, believed in the legitimacy of force levelled against tyrants, and in the right to resist and depose—possibly kill—an unjust monarch.

For the Shi'a living under Sunni rule, non-involvement was a matter of religious conviction, since the ruler was usurping the position of the true imam. The Sunni caliph and sultans were, in their view, fundamentally impious and corrupt, to be tolerated as a temporary second-best until the return of the Hidden Imam. Like the early Christians, they saw martyrdom as the ideal form of political action, though they did not court it. There was a tendency among both Sunnis and Shi'a to re-focus religion on the individual and his or her relationship with god. This found expression in the sufi orders. These played a role similar to that of monastic orders in Europe.

REVOLUTIONARY ESCHATOLOGY

A few ardent Muslims and Christians believed in an imminent realization of a new, just society through miraculous divine intervention, which they anticipated by their own efforts (Cohn 1957). In both cases such groups tended to be led by a charismatic individual claiming an exalted religious identity, in the Muslim case that of the *mahdi* ('the awaited one', the precursor of the Twelfth Imam). One such Muslim group founded the Safavid dynasty which ruled Iran from 1500 to 1722. The early Safavids 'recreated a ruler's office with universal claims for the first time since the end of the Baghdad caliphate, combining both the highest secular and supreme spiritual power' (Halm 1991: 85).

The programmes of such religious revolutionaries were, in both cultures, backward-looking. Muslims thought they would re-create Muhammad's Medina where society was 'small, simple and poor' (Crone 2004: 318). Christian millenarians took as their religious blueprint the communism of the early church (Acts 2: 44–5).[23] In both Islam and Europe some such groups believed, like some later communists and anarchists, that all kinds of violence were not only permissible but necessary. In the late eleventh century the Sevener-Shi'ite sect of Nizaris (known as the Assassins) conducted a campaign of assassination against Sunni leaders prior

to setting up their ideal society in the mountains. In the early sixteenth century Anabaptists conducted a reign of terror in Munster.

Since the failure of socialism in the Muslim world, those seeking a better society have once again turned to religious ideals. In post-Enlightenment Europe, movements for social reform or revolution have remained secular. Islamic radicalism has produced Wahhabism and al-Qaida, European radicalism Marxism and anarchism.

HOLY WAR

There was a similar evolution in attitudes to coercion and war. Early Christians and early Muslims differed completely in their views of the legitimacy of coercive force. Jesus rejected and denounced all physical violence against persons; non-resistance leading if necessary to martyrdom was a Christian ideal. St Paul sanctioned the punishment of crime by the state, but the early Christians refused military service.

Muhammad, on the other hand, was a war leader; his Companions and successors fought wars of aggression. The first Muslims believed they had a mission from god to subdue the world, by force if necessary. This inspired the conquests of Iraq, Palestine, Syria, Egypt, Persia, North Africa, Spain, Central Asia, India, Greece, the Balkans. 'Holy war seems to have been widely regarded as an obligation comparable to prayer' (Crone 2004: 363). It was a 'collective duty': all able-bodied males were obliged to undertake it unless enough others were already doing so. The caliph had a public duty 'to undertake jihad against those who refuse to embrace Islam after being invited to do so and to prosecute this until they accept Islam or enter into a contract to become [protected subjects]' (Lambton 1991: 91). According to later Sunni and Shi'ite doctrine, the caliph held the monopoly of the legitimate means of coercion. Many sayings of the Prophet dealt with military tactics, the rules of war, the distribution of booty. Military success was a sign of god's favour.

Those who refused to submit to Islam, except believers in other forms of monotheism, were to be killed (Quran 9: 5; 47: 4). Holy war was also justified, as most Muslims would justify it today, as defensive war: 'And fight in the way of God with those who fight you, but aggress not; God loves not the

aggressors. And slay them wherever you come upon them, and expel them from where they expelled you... but if they give over, surely God is all-forgiving, all-compassionate. Whoso commits aggression against you, do you commit aggression against him like as he has committed against you' (Quran 2: 186–9). 'Male captives might be killed or enslaved, whatever their religious affiliation... Women and children captured in the course of the campaigns were usually enslaved, again regardless of their faith.' The prizes of war were land and booty. 'Whatever Muhammad may have preached, jihad as the bulk of Arab tribesmen understood it was Arab imperialism' (Crone 2004: 367). The first controversies within Islam were also dealt with by coercive means: civil war and assassination.

Christians' views on the legitimacy of coercive force and of war eventually developed to a point where they came close to convergence with Muslim views. After the fourth century the church relied on the emperor's authority to enforce its rules. European jurists modified Jesus's 'turn the other cheek' to the Roman law's 'one may repel force by force (*vim vi repellere licet*)' (Berman 1983: 148).

Most Christians came to accept the use of force in response to aggression. Augustine's justification of defensive war was widely accepted in what became the theory of the 'just war' (*CMPT* 115; Russell 1975). But Christians within the Roman empire went further than this: they sanctioned the conquest of peoples outside the empire by means of aggressive war, on the ground that they were both barbarians and pagans. This was a prime example of convergence, though it preceded the rise of Islam (Erdman 1977: 29, 32; Fowden 1993: 35).

In early European states after the rise of Islam, there was also a concept of holy war similar to that in Islam. 'He who dies in this battle will not be denied the heavenly kingdom'; he will have died 'for the salvation of the *patria* and the defence of Christianity'.[24] The invasions of eastern Europe by pagan tribesmen in the ninth and tenth centuries 'brought home to churchmen their dependence on the "order of warriors" for physical security' (Keen 1984: 46). Chivalry became a new Christian ideal.

A European monarch, like a caliph, was expected to fight both to defend true doctrine within his territory, and to convert the heathen outside it (Wallace-Hadrill 1971: 50, 97, 99 102–3, 141). By the time of Charlemagne, the Christian ruler's role as war leader and holy warrior resembled that of a caliph: 'It is our part with the help of divine holiness to defend by armed

strength [the church] from the outward onslaught of pagans and the ravages of infidels, and to strengthen within it the knowledge of the Catholic faith' (EM 12). A coronation ritual of 973 spoke of the king's duty 'to terrify infidels' (BT 31). Jesus Christ had also become a war leader. The crusading project of the late eleventh century replicated, whether consciously or not, the Islamic idea of holy war. The idea of crusade[25] has no support in the founding narrative of Christianity, but Christians found precedent and justification for conquest by force in the history and ideology of ancient Israel. It has been the same in modern times. The concept of holy writ had deadly effect.

But in this area the convergence was all one way. The Muslim doctrine of holy war remained unchanged. A thirteenth-century sultan claimed he was 'the subduer of the adorers of idols', 'killer of the unbelievers and polytheists' (Black 2001: 110). The revival of the idea of holy war in Islam today is further testimony to the abiding power of the text. Holy war began in Christianity as metaphor, moved to literal policy, and has on the whole moved back again to metaphor. In Islam it began as practical policy, was used as metaphor by sufis and others, and is now both.

PERSECUTION, TOLERATION

One way of defining the relationship between religion and the state is in terms of the attitude of government towards religious dissidents. Here Christian views have undergone two considerable changes, while Muslim views have remained unchanged until very recently.

In the ancient Greco-Roman civilization, as in most ancient civilizations, it was generally believed that the state depended for political stability and prosperity on the beneficence of the gods or god. The Roman empire tolerated all religions provided they did not challenge Roman authority. Christians were intermittently persecuted, both for refusing to acknowledge the non-Christian deities and for failing to pay the proper quasi-religious respect to the emperor. But Constantine proclaimed toleration for Christianity as well as other cults (the 'Edict of Milan', 313).

Ancient philosophers, early Christians, and early Muslims all held that no one could, as a matter of fact, be coerced into right belief. Early

Christians supported religious freedom.[26] But the West went through a similar trajectory in its attitude towards religious freedom as in its attitude towards government and politics in general: it moved away from its starting-point, but later came back to it.

When, after Constantine, the Roman emperors became Christian, they saw it as their responsibility to promote Christian theory and practice. The ancient connection between respect for the god(s) and political well-being began to be pursued more vigorously, presumably in the belief that the Christian god was, as the Israelite Jahweh, 'a jealous god' who punishes those who worship false gods or no god. Divine punishment might extend to those who tolerated such things. Theodosius (r. 379–95) imposed the currently formulated orthodoxy on all Christians (A. Jones 1966: 71). He further forbade pagan worship, closed all pagan temples, and permitted their destruction. Justinian closed the Platonic Academy at Athens.

One may observe that in the New Testament Jesus has two faces: the mild, inward teacher of universal goodwill, and the wearer of the messianic tiara bitterly condemning those who do not believe in him. The one is peaceful, the other promises divine vengeance. The early Christians were bitter in their condemnation of those who refused to believe, abandoned belief, or just adopted a different interpretation from that of the writer. Paul was particularly vindictive on god's behalf, though he and others at the same time pleaded for mutual respect and courtesy among Christians (Rom. 14: 4–6, 10, 13–15; *ECW* 129). Indeed Paul insisted that church members respect each other's conscientiously held views, even when these were contrary to his own, at least on dietary law (Rom. 14: 23–15: 2). While Christianity insisted that Jew and non-Jew, free and slave, were all equal in the sight of god, it set up a new distinction between those who believe and those who do not, and also, among Christians, between the orthodox and the heretic. These were thought to prefigure (if they were not quite the same as) the ultimate division between the saved and the damned.

Thus, when Christians became dominant, they created a new type of discrimination and hatred. In the later fourth century it was non-Christians who argued that compulsory worship deprives man—in the words of the non-Christian Themistius (*c.*317–88)—of 'a power which has been granted to him by god'.[27] Augustine produced, as so often, an innovation in both theory and practice by saying that (in Markus's words) 'coercion is like medicine administered to an unwilling patient for his own good'

(*CMPT* 114). The Christian emperors' policy of religious conformity made the late Roman empire one of the most authoritarian pre-modern states.

In Europe from the late eleventh century the persecution of people with different or unorthodox religious views became the norm (Moore 1987). Religious coercion was justified by the Christian view of what god was going to do anyway after death: force was a last resort in saving a soul from hell. The persecution of heretics was well organized and followed rational-legal procedures. But secular rulers did not always feel obliged to carry out the death sentences demanded by the church.[28] In fact the emperor Frederick II (d. 1250) stood both for the political sovereign's independence from the church and for the toleration of Jews and Muslims. 'Heretics' such as Marsilius and Ockham—the two most original minds in the ascent of Europe's political thought (see below, p. 145)—found refuge with another emperor seeking independence.[29] The diversity of legitimate authorities—pope, emperor, kings, cities—made it possible for someone like Frederick the Wise of Saxony to protect Luther for long enough for the Protestant Reformation to germinate.

Under Muslim rule, Christians, Jews, and Zoroastrians were from the beginning offered the status of subject, protected people (*dhimmis*) in return for payment of a land-tax. They were allowed to worship and live according to their own religious laws, sometimes in partially self-governing groups (Crone 2004: 371–2); but they could not express their beliefs in public or build new places of worship. Such relative toleration compared favourably with the treatment given to not-quite-orthodox Christians in the East Roman empire, and may have been a factor in the rise of Islam. In the long term, Islam retained those areas which had become disaffected from Christian rule on religious grounds, such as Syria, Egypt, and North Africa, in contrast to Spain, Greece, and the Balkans.

On the other hand, in the Muslim-dominated world anyone had the right to kill unbelievers: polytheists, atheists, agnostics. Rulers were sometimes persuaded by members of the 'ulama to take action against those whom the 'ulama considered unorthodox. Rulers might be reluctant to do so but the 'ulama could always invoke the spectre of popular unrest. The first systematic persecution was the elimination of the majority Sunni community in Iran by the Safavids in the early sixteenth century.

The Muslim approach remained unaltered until, in the later nineteenth and twentieth centuries, some thinkers, under western influence,

advocated freedom of expression, toleration of other faiths, and equality of civil and political rights for non-Muslims.

Recently, however, political and economic encroachments by the West, the loss of territory to Israel, and the influence of nationalism have produced an intolerance of other faiths that is new to Islam. Non-Muslim monotheists tend no longer to have even the privilege of protected peoples. Not only are all non-Muslims excluded from public life: there are calls among some 'radicals' for even Christians and Jews to be exterminated as infidels.

Religious toleration in Europe, on the other hand, was first practised in the Dutch Republic. Locke (writing in the 1660s) proposed toleration for all Protestants. The status of Dissenters in England after the Revolution of 1689 might be compared with that of Christians and Jews in the Ottoman empire: they were allowed to worship but not to hold public office. But Dissenters could publicize their views, and they could vote. Thanks to the Enlightenment, toleration for all creeds and none was established in the Constitution of the United States (1787), and, following the French Revolution (1789), in most European states. Citizens should have equal legal and political rights regardless of their religious belief or lack of it. Politics could henceforth be conducted with little or no reference to any religious community. This was made easier because original Christianity made no specific recommendations about political structures; it had left a space in which a non-sacred public ethic could develop.

NOTES

1. S. N. Eisenstadt, 'The Axial Age: The Emergence of Transcendental Visions and the Rise of Clerics', *European Journal of Sociology*, 23 (1982), 294–314.
2. Epistle to Diognetus (*c.*124 CE): cited E. R. Dodds, *Pagan and Christian in an Age of Anxiety* (Cambridge: Cambridge University Press, 1965) 20; *ECW* 176, 184, n. 4.
3. While the text of the Quran was fixed early on, there was dispute for a century and more about which hadith were authentic. On the discovery or invention of hadith: Crone 1987: 214, 216, 222–5. See also Kanan Makiya's historical novel *The Rock: A Tale of Seventh-century Jerusalem* (London: Constable, 2001).

4. Crone 2004: 8–9. 'Everything a Muslim was required to believe or do was founded on traditions purporting to prove that Muhammad, by example or precept, had so ruled' (Guillaume 1956: 92).
5. Compare brahmins and kings in India.
6. Religious observance 'perpetuat [es] ... adherence to civil law (*namus*) and Religious Law (Shari'a)': Ibn Sina in LM: 103).
7. Cited Nicol, *CMPT* 68 n. This continued the ancient Roman way of incorporating the sacred into the public sphere.
8. Cited Arquillière 1934: 58–9 n.; *CMPT* 95–7.
9. Carlyle 1962: i. 187, 190–1; Dvornik 1966: 804–7; Markus, in *CMPT* 95–7, 102. This invoked the ancient Roman senatorial 'authority' which oversaw the mere 'power' of magistrates.
10. Dvornik 1966: 698–9; Nicol, in *CMPT* 69–70. Justinian spoke of 'priesthood and empire, the one serving divine concerns, the other ruling over human concerns': ibid. 68–9.
11. Cited Kern 1968: 71 n. Isidore (*c.*560–636) ('the schoolmaster of the Middle Ages') was enormously influential.
12. Charlemagne's Frankish subjects thought his power derived from 'the will of god and at the request of his Christian people': *CMPT* 231.
13. *CHI* iv. 276; Kraemer 1992: 274. Adud, as an invading foreigner and a Shi'ite, needed this display of legitimation, while the militarily powerless caliph needed an effective local patron. Similarly, when the pope restored the western empire by crowning Charlemagne (800), he acquired military protection, Charlemagne prestige.
14. This would have been an apt conceptualization of way the Imami (Twelver Shi'ite), to whom al-Farabi seems to have belonged, saw things. It was just about now (941) that the Twelfth Imam was declared to have gone into permanent hiding.
15. Crone 2004: 395–6. In other words, there was 'a split between the military rule of amirs ... and all the institutions of civil life, economic, legal or religious' (Hodgson 1974: ii. 53–64). See also Crone 2004: 245; Al-Azmeh 1997: 180.
16. 'The stability of the state depends on the religion by which we honor god ... If true religion is observed through life in all its purity, the state will flourish', said the emperor Theodosius II in 431 (cited Dvornik 1966: 770).
17. Cited Bosworth 1963: 63. Bayhaqi goes on: 'and he has made it incumbent upon the people of the earth that they should submit themselves to the two powers.'
18. Arjomand 1984: 59, 65–6; Halm 1991: 56; Lambton 1981: 254.
19. See e.g. al-Farabi, *VC* 299; LM 46–7.

20. Based on Durkheim's theory that, as society advances, so the division of labour increases.
21. A 'characteristic rabbinic disjunction of piety and power': Crone and Cook 1977: 124.
22. Several hadith warned against having any dealings with political power (*sultan*); one (appropriately ascribed to the caliph al-Rashid) defined the happy man as he who has a fine house, wealth, a beautiful wife, 'and does not know me and I do not know him'. Others highlighted the danger of accepting public office: 'of three Judges, two are in hell' (in Black 2001: 37). See Crone 2004: 254; F. Rosenthal 1970: 330.
23. Everyone had to sell their belongings, 'and they distributed [the proceeds] to everyone according to each person's need': Acts 2: 44–5; 4: 32–5.
24. Papal appeal for support against the Saracens (853): cited Kern 1968: 46.
25. Frankish writers responding to Charles Martel's victory over the Arabs at Poitier (732) 'are the fathers of the idea of crusade': Wallace-Hadrill 1971: 99. See also *CMPT* 235; Erdmann 1977: 29.
26. According to John Chrysostom, Christians are not allowed 'to use violence to combat error. They must provide for the salvation of men by persuasion and gentleness': cited Dvornik 1966: 607. This view was shared by some Isma'ilis (Crone 2004: 380).
27. EB 379; Dvornik 1966: 765. The emperor Julian (r. 361–3), restorer of pagan worship, embraced universal toleration.
28. Jews persecuted by the populace might be protected by rulers.
29. Part of their 'heresy' was their defence of imperial autonomy.

2

Legitimacy: The Caliphate and the State

Islam knew only one legitimate association, the 'umma of believers, and only one legitimate authority, the caliphate (deputyship of the Prophet). Other territorial rulers (amirs: commanders; sultans: powers) controlled certain regions but their legitimacy depended on their membership of the Muslim community, and therefore, explicitly or implicitly, their subjection to the caliphate. The whole Muslim people constituted 'the world of peace (*dar al-islam*)', which was set against 'the world of conflict', comprising all non-Muslims and their states. The Byzantine emperor also claimed to be the sole legitimate authority in the world; the kings of Bulgaria, Serbia, and Russia were supposed to acknowledge his suzerainty.

In western Europe, however, legitimate coercive jurisdiction belonged to a number of territorial groups and their rulers (England, France, Castile, and so on). They were members of one church and recognized the spiritual supremacy of the the papacy, but their political legitimacy, while conditional on their membership of the church, did not, in the eyes of most people, derive from that source. They did not, in most cases, recognize the jurisdiction of the western emperor. In this sense, they were secular and sovereign, as well as several in number.

This multiplicity of European (or Latin Catholic) states saw themselves and each other, for the most part, as independent and sovereign, recognizing each other's legitimacy and conducting their relations with each other by means of diplomacy, war, and reciprocal agreements (treaties, alliances, and the like). In some cases, national consciousness gave emotional meaning to membership of territorial communities. In the Christian East this was enhanced by the national identity of the church itself in Orthodox Bulgaria, Serbia, and Russia. In the West, especially after the post-Reformation wars of religion between Catholics and Protestants, one may speak of an international society of states. There was a slightly

comparable development in the Muslim world when, in the sixteenth century, Iran became a Shi'a state, enforcing its own religious orthodoxy, and the Ottoman empire came to be regarded as the supreme Sunni state, the champion of jihad against the Christians, and tacitly (and eventually explicitly) the seat of the Sunni caliphate.

Given the primacy of the 'umma and of the caliphate, it was more difficult for separate states, separate peoples and their rulers in the Muslim world to acquire the kind of legitimacy they acquired in the West. The entire medieval Muslim world was crisscrossed by sects, sufi orders, the 'ulama themselves and their schools of religious law, not to mention Christians, Jews, and other non-Muslims, to whom 'state' boundaries might mean little. Many, if not most, people probably identified themselves as much with such confessional or ethnic groupings as they did with a particular state, often more so. As Al-Azmeh puts it, 'nowhere is a theory of kingship or of the state attempted... Muslim writing on politics in the Middle Ages does not contain or constitute a theory of the state' (1997: 89, 113). Today reformist or radical sects commonly dispute the legitimacy of separate states and still more of nation-states within the 'umma. Speaking of the contemporary world, Bertrand Badie says that 'any claim to legitimate power finds itself being contested by any old cleric on the basis of his own perception... It is vain to try to discover, in Islamic culture, a definitive formula for the notion of legitimate power' (1986: 114–15).

THE ORIGINS AND PURPOSE OF COERCIVE JURISDICTION

Both Islamdom and Europe developed theories about the origin of coercive power, its *raison d'être*, and its justification. We must remember all along that what Muslims had in mind here was the caliphate; what Europeans had in mind were states.

Muslim philosophers sometimes used the word *madina* (translating the Greek *polis*: city or state) because they thought that what Plato had to say about the good *polis* would apply to the caliphate. The *form* taken by Islamic government was, as we have seen, laid down in revelation, but

the need for coercive government in the first place they thought could be proved by observation and reason. Here Muslim thinkers selected certain ideas from the philosophical texts of ancient Greece. Political authority, they argued, has its origin in human nature. They started from the observation that individual human beings cannot fend for themselves. They depend upon others even to meet their own physical needs; therefore there has to be a division of labour, some individuals providing food, others shelter, clothing, and so on. As Ibn Rushd (1126–98) put it, following Plato fairly closely, political society is necessary because of the things which humans need 'for life itself, such as appropriating food, securing dwelling places and clothing, things which man in a certain way shares with the animals'.[1] Hence the division of labour. Here Ibn Rushd was on common ground with earlier Muslim philosophers.

But, while human beings have to live in society, they 'are innately disposed to mutual hatred'; quarrelsome and aggressive, they fight and oppress one another.[2] As al-Ghazali put it: 'whenever people live in houses and cities and carry out transactions between one another, frictions are bound to occur... In the nature of man there is, besides love, hate, envy and competition. These qualities breed quarrelling and antagonisms' (in Othman 1960: 194–5). Muslim thinkers observed a lawless and unstructured element within the human person herself: left to themselves, humans 'can't control their natures or go against their desires'.[3]

Here the Muslim view of human nature resembled that of Augustine and, later, Hobbes. Abu Bakr al-Razi (d. 925) anticipated Hobbes rather closely when he said that 'a solitary individual in the desert... would be savage, beastly and loathsome'.[4] It is also worth noting that on this point they were more pessimistic than Plato, Aristotle, and most other ancient Greek and Roman writers.[5]

Muslim thinkers argued that, due to this innate quarrelsomeness, humans stand in need of social discipline: 'it is only by rigorous training, severe rebukes in this world, and the threat of terrible punishment in the next, that men are able to resist their own worst natures' (al-Jahiz, in Pellat 1969: 63–5). They further concluded that this human propensity for greed, lust, conflict, and competition means that men depend for their survival not, in the first instance, on a state, but on law. This reflected the priority of the Shari'a in Muslim social thought and practice. Plato himself, on the contrary, had held that social harmony was achieved through justice, by

which he meant each person performing the function for which his or her abilities equipped him or her. Nevertheless, justice for Plato played approximately the role assigned by Muslims to the Shari'a; and for Muslims, of course, the Shari'a embodied justice.

The need for government follows, since law cannot function without a ruler to enforce it.[6] There is surely a connection between basing legitimate authority on the prevalence of human conflict and the later juristic opinion that even someone who acquires the caliphate by force alone should be accepted as legitimate (below, p. 89). If one sees the need for coercive power as so fundamental to human survival, one is more likely to say that any ruler is better than none.

While rulers in general are necessary, however, Muslims believed that the specific form of government that was the caliphate had been instituted by god. They 'saw the state of nature as having come to an end thanks to divine intervention rather than human action. God in his mercy sent a prophet with a law, to found a polity' (Crone 2004: 263). This was different from Hobbes and even from Augustine. For these both based the establishment of government in response to disorder on human initiative, either as the consequence of competition for power (Augustine) or, as Hobbes argued, because people would make a rational calculation that it was in their best interests to set up a state with absolute authority. And there was less continuity between either of these western solutions and divine revelation. According to Augustine, the human lust for power (*libido dominandi*) achieves a partial solution because one warlord will come out on top and impose his will on the rest. But this produces only an unstable peace. A full solution lies only in the conversion of the human heart to the love of god and one's fellow-humans.[7] Unlike the Muslim solution, this avoids the need for coercion altogether (but one may think it too idealistic).

The Shari'a was presented as the best of all possible legal systems. It was superior because it not only suppressed disorder but led people to god. And it so happens that the truth about god is the best guarantee of social peace: ordinary human laws are not enough to deter us from crime; what is needed is a law that has been issued on the authority of god (and therefore through a prophet) with the threat of eternal punishment.[8] The Shari'a was, of course, seen as divinely revealed; its social advantages were noted as corroborative evidence. For Muslim theorists, then, it was the

Shari'a which played the central role in maintaining social discipline which western thinkers assigned to the state.

This, then, was the philosophical basis of Islamic juriprudence and political theory. The need for the caliphate was proved because law cannot function without coercion. The caliphate was the only legitimate authority. Although not omnicompetent, it resembled a modern western state (according to one classical if now outmoded definition) in having a monopoly of the legitimate means of coercion, in the sense that no one was supposed to punish or fight without the caliph's approval. Its legislative scope was, however, limited by the sacrosanct status of the Shari'a. Unlike a western state, it was the one and only legitimate power.

This view of the origins and purpose of coercive authority entered mainstream thinking about law and politics in the Muslim world. It became part of Islamic orthodoxy and was often cited in both official documents and popular literature (Al-Azmeh 1997: 117; Crone 2004: 259–60).

There were, nonetheless, a few early Muslim thinkers who took the view that human nature requires in the first instance strong coercive power. This came naturally to Shi'ites because they emphasized the importance of the Leader (*Imam*). Thus al-Qasim ibn Ibrahim (who died at Madina, 860): 'the desire for sex and food is implanted in men and, if there were not someone to limit and curb it, people would fight against each other to satisfy their desires, and consequently the world would be destroyed... People need a guide to teach them these restrictions, and this guide is the Imam.'[9] Some Mu'tazilites (the school of 'devotees of rationalizing theology' in early Islam; Crone 2004: 65–9), also argued from the evidence of human strife directly to the need for an Imam. Al-Jahiz followed his description of human perversity by saying: 'it is therefore our duty to establish a single Leader [Imam]... God so designed the world and its inhabitants... that they are better off with a single Leader.'[10] According to al-Mawardi, again, social and political order are based on, first, 'an established religion, whereby man's passions are held in check'; secondly, 'a powerful ruler (*sultan*)... for neither religion nor reason is by itself sufficient to bar people from wrongdoing or injustice, unless they are coerced by the superior authority of a strong ruler'; and thirdly 'justice' (in Black 2001: 86).

Christian thinkers in the West also drew on ancient ideas in order to justify coercive authority, but the ones they drew on were to some extent different from those used by Muslims. They had, of course, Augustine's

argument that states arose out of the lust for power: a king is that person who is most successful at dominating others, but at least this brings peace and security of a kind (*CD* 15. 4; 19. 12. 1–2). Some in Europe appear to have thought that authority is derived from god by the power of the sword (the German monarchy, founded by Henry I in 910, was said to have been 'not left to him by his father, but acquired by himself and given to him by god alone': cited Leyser 1982: 11 n.).

Augustine's view, as we have seen, resembled that of Muslim thinkers, but only insofar as one type of legitimate authority—the state—was seen as the outcome of human conflict. It certainly did not relate to the religious authority of the church and her leaders, which had been established by Christ and did not include coercive power (at least directly). Moreover, as the Gregorian revolution was to show, a Christian state conceived in this way had much less legitimacy than the Muslim caliphate (or even sultanate). It was not based on divine revelation. It was a second-best institution and therefore more easy to subordinate to the moral authority of the church, which represented the superior type of human organization and authority, based on service and love, which had been instituted by Christ himself. Indeed Augustine's view could be used, as it was by Gregory VII, to discredit kingship altogether: kingship was based on human pride (the greatest sin), the church on divine goodness ('*illam superbia humana repperit, hanc divina pietas instituit*': *Reg.* 295, 552; see below, p. 136). The Augustinian state did not, for Christians, have a deep claim to true authority.

But this was far from the only argument Europeans used to justify rulership. Besides the Augustinian view of the origin of states, the West was also familiar with the Stoic idea that there was to begin with a perfectly satisfactory, in many ways ideal, 'state of nature', in which all were free and equal; and that, although humans had deteriorated since then, the state of nature indicated something about the kind of authority most suited to their nature. This view was unknown to Muslims and ignored by Byzantines. But in the West St Ambrose (archbishop of Milan and Augustine's teacher, d. 397) said that in nature birds, for example, share both labour and its rewards, 'like an ancient republic or free city', without slavery or lust for power. Augustine also said that 'the first rulers were upright shepherds of flocks rather than kings of men, so that god might contrast what the order of created beings demands with what the reward of our sins enforces

(*quid postulet ordo creaturarum, quid exigat meritum peccatorum*)' (*CD* 14. 28. 1; 19. 14. 2 and 15).

This view was deployed by Pope Gregory I (r. 590–604), a former monk, to construct what may properly be called a Christian view of the state. 'Nature made all men equal (*omnes homines natura aequales genuit*)', but people differ in merit and, therefore, in rank. Differences also arise from vice; but these have been put right by god, so that those more advanced on the path of life rule others (as in a monastery, perhaps). In other words, the domination of man by man, which had been brought about by human malice and which St Augustine thought was the normal pattern in the imperfect ('fallen') world we live in—and which Muslim theorists thought was inevitable—is not the only possible relationship between rulers and ruled.

Pope Gregory applied this view of authority in the church to states. Augustine too contrasted state coercion with the gentle persuasion (*consilium*) used in the heavenly city of god, and recommended for the church. But Gregory went further, suggesting that Christian rulers should imitate the example of the relationship between bishops and their flocks in the Christian community:

> when holy men are in charge, they consider not the power of rank but the equality of condition [a term later used by Rousseau and de Tocqueville]; their joy lies in benefitting (*prodesse*) people rather than controlling (*praeesse*) them . . . they know that our fathers of old are remembered as shepherd of flocks rather than kings of men. (cited Reydellet 1981: 464–5)

This was straightforward Christian preaching. But it had the somewhat revolutionary implication that states *could* function according to Christian norms. This fitted in with Cicero's (broadly Stoic) view of how government arose and what it is for. Something of the republican approach to government had indeed seeped into the church. Citizens and political thinkers in christianized Europe could see political communities not only as expressions of Augustine's 'earthly city', dominated by their rulers, but as capable of government by consultation (*consilium*).

Cicero's consensual theory of the origin of society and government was explained by Alcuin of York (*c*.730–804), an adviser to Charlemagne. It is reason and eloquent speech (*oratio*), Alcuin said, paraphrasing Cicero, which bring humans together, transforming savages into gentlemen.[11]

We started as savages without religion or morals. But along came 'a great and wise man', who realized that human nature could be improved by instruction. He brought these wild creatures into one community, so that they could live a peaceful, useful, and honourable life. They objected at first, but were won over by his reason and eloquence: through 'the wisdom of speech' humans were persuaded to abandon their bad habits and adopt a more developed, complex way of life (Carlyle 1962: i. 211). Rulers arose not so much to avert disaster as to lead people to better things, to advance civilization. A ruler comes about by common agreement and leads by persuasion. The same passage from Cicero was used in 1439 to support a general council's right to depose a pope.[12]

This fed into Christian humanism, especially from the twelfth century onwards. It implied that political arrangements were subject to human design and could therefore be improved. It suggested a consensual polity, in which leadership is established by good men using skills of persuasion, and government is by law rather than force. It was, therefore, more compatible with government by senate and parliament than with absolute monarchy. And indeed, the new city-states of Europe liked to see themselves as fraternal institutions based on common interests, ruled by counsel and consent. The Renaissance encouraged the notion that it was noble to serve, and to die for, one's fatherland (*patria*). The transmission of Aristotle's politics from Byzantium, where it too had been ignored, to the West reinforced this idea of the state as the necessary unit of normal human social life. In Aristotle's view, human beings are naturally sociable because, unlike other animals, they can speak, have a sense of right and wrong, and have a natural desire for each other's company (*Politics* I.1, 1253a). As Muslim philosophers had recognized since the ninth century, the structure of the human body and mind require social cooperation; and the resulting society requires government.

But European thinkers gave their classical heritage a different spin from the one which Muslim philosophers and jurists gave theirs. They did not emphasize the role of conflict, but for the most part adopted the consensual view of social origins, and of governance in society now. The medieval European Aristotelians adopted a more optimistic view of human nature than the Muslim philosophers, here reversing the trend set by Augustine. They emphasized that moral and intellectual life have their foundations in human nature, and correspondingly laid greater emphasis on the role

of the state in moral education. Some said there could even be legitimate states among the heathen.

The relationship between nature and the good life in the two cultures was now reversed. It was Muslims who now emphasized the unconditional dependence of humans on divine revelation, as Augustine had done. A political community was legitimate for Muslims only insofar as it assumed the functions of the caliphate, that is, mostly religious and specifically Islamic functions. There could be no question of a legitimate state outside Islam.

The Aristotelian idea of the possibility of a secular society that had ethical meaning but was not a church was one thing which differentiated European from Islamic political thought. Putting this in more modern language, one can say that the political theory adopted in the Muslim world was broadly Hobbesian: humans need coercive authority because of their constant need for security against each others' ineradicably selfish strivings. The view adopted in the European world was broadly Lockean: political authority is set up by humans as a result of their own perceptions of how best to achieve their common interests.

The Augustinian-Hobbesian view was perhaps more suited to a population made up of a variety of religious and ethnic groups than was a polity which depended on the subjective fellow-feeling of inhabitants. In this way Muslim polities could contain the radically alternative political culture of tribes (Ibn Khaldun's *badawa*), which had long since been eradicated in Europe (except in the Scottish highlands). In this respect, it was attuned to Oakeshott's view of the minimal role of the state; it did not aim to represent points of view but to prevent crime. Therefore it could contain diversity. When we compare the Ottoman empire with European states prior to the eighteenth century, we find less democracy but more toleration.

MARSILIUS OF PADUA AND IBN RUSHD

It was Marsilius of Padua (1275/80–1342/3) who introduced the 'Hobbesian' argument that had been prevalent among Muslim theorists into the West. (The channels through which Marsilius may have come into contact with Islamic ideas are discussed in the Appendix.) The crusades

(Hillenbrand 1997) seem to have produced very little exchange of political ideas, which is perhaps hardly surprising. It is well known that exchange of philosophical and scientific ideas was in full swing at almost exactly this time on another Muslim–Christian fault-line, at the opposite end of the Mediterranean.[13] It will be argued here that this exchange extended into a critical aspect of political philosophy.

The reason why humans have to live in a state (*civitas*), according to Marsilius, is that they are 'born made up of contrary elements (*homo nascitur compositus ex contrariis elementis*)'. In human communities 'there arise arguments and quarrels which, if unregulated by a norm of justice, would cause wars'. Therefore we need 'a rule of just acts, and a guardian or maker [of such a rule]'.[14] In other words, society will be torn apart unless we have laws, judges, and police. This resembles the argument of Muslim thinkers rather closely. The similarity between Marsilius and al-Ghazali is particularly striking. But, on the evidence available, there is no way of telling whether Marsilius took this from al-Ghazali, or both took it from a common source, or each thought of it independently.

This particular view of the origins of the state, although it could have been deduced from Augustine, was unusual in Europe at the time. In pinpointing *strife* as the basic characteristic of human society, and as that which makes government absolutely necessary, it echoed theories current in the Muslim world. It was a way of legitimizing the state familiar among Muslims but not hitherto in the West.

Other aspects of Marsilius' discussion of the origins of the state may have been influenced by Muslim philosophers.[15] Al-Farabi (*c*.870–950), the Brethren of Purity (writing 900–65), and Ibn Rushd (1126–98), all following Plato, observed that people have different natural talents. Al-Farabi added that 'people belong to a particular part not by their inborn nature alone but rather by the voluntary habits which they acquire, such as the arts and their likes' (*VC* 233–5). From this they deduced that 'every human in the city [should] do the work that is his by nature in the best way that he possibly can' (as Ibn Rushd put it: *CPR* 5–7). Similarly, Nasir al-Din Tusi (1201–74) wrote: 'divine Wisdom has required that there should be disparity of aspirations and opinions, so that each desires a different occupation, some noble and others base, in the practice of which they are cheerful and contented' (1964: 189).

It is the division of labour that makes it necessary for humans to live in large societies.[16] Both al-Farabi and Ibn Rushd said that, as a result of this necessary division of labour and the concomitant natural variety of talents among humans, society is made up of occupational groups. These groups are the component parts of the state. They make their appearance prior to the state itself; they are also logically prior to the state in the sense that they would have to exist whether humans were contentious or not, and therefore whether a state came into existence or not.[17] They are the functional parts of the state.

Similarly, Marsilius said that society is necessary because humans are 'born naked and unarmed' (as Plato also put it (*Protagoras* 321c)—perhaps quoting the sophist Protagoras himself; this passage was not used by Muslim theorists). We therefore need the skills of others and a diversity of crafts to survive at all. Marsilius also said that the division of labour leads to society being divided up into occupational groups (*partes*), and that these are the constituent parts of the state. He was the first European to say this, even though this idea could have been deduced from the role of craft guilds in European city-states (Black 2002).

It is tempting to suppose that Marsilius took the idea from Ibn Rushd and al-Farabi, as well as being influenced by his own civic environment. But in fact he cites Aristotle, *Politics* vii. 1328b, where a similar point is made; and it is to the specific categories of occupational group detailed by Aristotle that he refers, both here and elsewhere.[18] This part of Aristotle's work was not known to Muslims; they used the categories indicated in Plato's *Republic*. On the other hand, such groups, to judge from their place in Marsilius' argument, play a more fundamental and formative role in the makeup of the state than they did for Aristotle. Marsilius saw the *civitas* as essentially composed of separate *partes*, precisely because each of these is necessary for 'the sufficient life'. We should perhaps conclude that he was combining ideas from both al-Farabi and Ibn Rushd on the one hand, and Aristotle on the other. It so happens that Ibn Rushd's *Commentary on Plato's Republic* had recently become available in Europe in a Hebrew translation (see Appendix). The possibility that Marsilius was drawing on Ibn Rushd at this point is further enhanced by the way that, in both authors, the discussion of occupational parts is immediately preceded by discussion of the virtues.[19]

It is the supreme ruler, whom Marsilius calls 'the human legislator (*legislator humanus*)'—a term again slightly reminiscent of al-Farabi—who decides who is fitted for which task in society; and it is he who determines the membership of the various occupational groups. These occupational groups, as we saw, form the building-blocks which in turn make up the state. Only when these points are established does Marsilius come to the need for law, legislation, and government. Marsilius was, once again, the only medieval European philosopher to have viewed the origin and makeup of the state in this way (Black 2002: 86–95).

Al-Farabi and Ibn Rushd both held that it is the legislator who assigns individuals both to their occupations and to their status groups. 'The ruler of this [perfect] state will be the cause of the rise of the city and its parts, and the cause of the presence of the voluntary habits, and of their arrangement in the ranks proper to them', said al-Farabi.[20] This was in line with Plato's *Republic*. Al-Farabi's interpretation of Plato here assumed special insight on the part of the ruler into people's innate aptitudes, of a kind which a prophet or Shi'ite imam might possess. Similarly, Marsilius states that the executive ruler (*pars principans*), on the authority of the *legislator humanus* (sovereign), institutes the five other *partes*. Presumably one reason why Marsilius said this was so that the secular ruler may determine who are to be priests. Since only fragments of Plato's *Republic* were known in Europe in Marsilius' time, it is probable that, if he took this idea from any literary source, it was from the Muslim philosophers. Marsilius also refers to the role of 'prophecy (*oraculo*)' in the formation of the parts of the state, especially of the priesthood;[21] this could be a reference to al-Farabi's prophet-legislator.

Al-Farabi, Ibn Rushd, and Marsilius could all have derived their view of the importance of occupational groups and categories from observation of the societies in which they lived. But it is worth noting that, while in many European cities the craft guilds participated as corporate groups in city governance, Marsilius did not give the crafts any *constitutional* role in the state. This further suggests that he was looking, at least on this point, at the Muslim philosophers rather than at the society around him.

Marsilius, again like Muslim philosophers, stated that strife is overcome first of all by law, and only secondarily by a ruler. Europeans generally said that humans establish a ruler, and laws come later. This was also Hobbes's

view: strife proves the need, in the first instance, for the coercive authority of a sovereign, who then has authority to make laws.

Marsilius' aim was to change the relationship between church and state, pope and emperor. He assigned sovereign authority in religious affairs to 'the association of the faithful (*universitas fidelium*)', who are thus 'the faithful human legislator without a superior'. *Universitas fidelium* is about as good a translation of 'umma as one could expect. Disputes about theology, in Marsilius' view, are to be resolved not by the papacy but by general councils; these also make church law. The community of the faithful, according to Marsilius, may—and there is a strong presumption that it will—delegate the authority of enforcing these decisions to the emperor.

Moreover, Marsilius' overall vision of church and state may have been idiosyncratic for the West, but it does contain quite significant traces of the Islamic religious model. Jeannine Quillet sees a parallel between the role assigned to the ruler in al-Farabi, and to the 'ruling part (*pars principans*)'—the executive power, whether emperor or consuls—in Marsilius (1979: 108, 112, 123). Marsilius was probably influenced by the Muslim approach to the relationship between revelation and philosophy (Quillet 1979: 94–6, 104–5). His use of Aristotle, on the other hand, is, according to Quillet, incidental, fragmentary, and not always accurate. Quillet concludes, rightly I think, that Marsilius' *Defender of the Peace* bears the imprint of al-Farabi and Ibn Rushd rather than of Aristotle.

It is not being suggested that Marsilius was a crypto-Muslim, or that he was trying to turn western Europe into a religious polity Islamic-style. His emperor is not a caliph; though we should note that it was the function of a sultan-caliph to enforce the rulings of the 'ulama; and that they, like the clergy in Marsilius, had judicial but not executive power. There was also a similarity between the role Marsilius wanted to give the emperor and the role of the Byzantine emperor in church affairs, but there is no other evidence that Marsilius was influenced by Byzantium.

It is, however, quite conceivable that his familiarity with Muslim ways of approaching these issues gave him something to think about. The way Marsilius talked about the community of the faithful, the legislator (and possibly even the use he makes of consensus) all suggest familiarity with Muslim ideas.[22] Given Marsilius' general intelligence, it would not surprise if there were a touch of irony here.

In this case it is the more remarkable that Marsilius proceeded—partly on the basis of these very passages—to develop one of the strongest cases ever made that laws derive their authority from 'the people or the association of citizens, or their weightier part through their choice (*electionem*) or will expressed in words in the general assembly of citizens' (*DP*, p. 49). This body elects the executive ruler and may correct or depose him (*DP* I. xiv). There was nothing remotely Islamic about all this; it reflected, rather, the Italian city-republics where he had grown up (Rubinstein 1965).

This reinforces the view that Marsilius used Muslim ideas, not as a model to be followed, but as bricks out of which to construct his own theory; he did not see the Islamic model as something to be imitated except when he had other reasons of his own for doing so.

In Marsilius and, as we shall see, in Dante (writing a few years earlier), we find two of the most original political thinkers of the period apparently using Muslim arguments for their own purposes. Neither, as it happened, had influence in his own day, and what they said did not affect the course of European political thought. Both have attracted the attention of modern scholars because some of what they said seems to have relevance across the centuries. The other original political theorist of the early fourteenth century, whose ideas more closely reflected western political culture both at the time and in centuries to come, was William of Ockham. He was certainly not influenced by Muslim thought.

Marsilius' views on religious and political authority had little immediate influence. The *Defender of the Peace* was condemned as heretical; very few read it; and those who did were only interested in him for his (also very original) discussion of authority in the church. During the Reformation the *Defender of the Peace* may have appealed to some European monarchs, whose religious status was converging with that of a sultan-caliph (above, p. 20). It was translated into English and used by Henry VIII and Thomas Cromwell (*CMPT* 422).

Did Hobbes read Marsilius? Their views on the basis of state authority were remarkably similar. To be sure, Hobbes's argument was based to a much greater degree on physics and psychology. But, despite all the research on Hobbes, this question remains unanswered.[23] There may be no way of finding out. But it is far from inconceivable. Hobbes's theory of the state is generally seen as a critical point in the development of modern

western political thought. It seems that his way of looking at the state first came to Europe from the Muslim world.

THE RESPONSIBILITIES OF CALIPHATE AND STATE

Muslim jurists such as al-Mawardi, royal advisers such as Nizam al-Mulk, and philosophers like Ibn Sina specified in some detail the duties of the caliph. These were to ensure observance of the Shari'a; to spread Islam by teaching, by building mosques and allocating revenues for religious education, and by holy war; to make public highways safe for pilgrims; to ensure the collection and rightful distribution of *zakat*, booty, and other taxes authorized by religion. Maintenance of highways included construction of caravanserais; distribution of *zakat* included provision for the poor and sick in public hospitals (Crone 2004: 307).

The caliph was responsible for maintaining the public functions (sing. *wilaya*) of judges (sing. *qadi*) and market supervisors (sing. *muhtasib)*. These extended to the economic sphere: the *muhtasib* was responsible for prevention of fraud in the market and for the regulation of labour. Prostitution, usury, and the sale of alcohol were to be banned. Ibn Sina said that the ruler should ensure that there is neither idleness nor unemployment (Black 2001: 75). Ibn Khaldun thought that the royal court should stimulate economic activity by expenditure on public works (trans. F. Rosenthal: ii. 146). But prices were not to be controlled, because 'high and low prices depend on god'.[24]

Al-Mawardi insisted that all these caliphal functions were of a religious nature, or necessary for the promotion of religion. Nizam al-Mulk, the Iranian vizier to the powerful Saljuk sultans in the late eleventh century, included things that are necessary to maintain the infrastructure of an agrarian economy. It is the king's duty to engage in 'constructing underground channels, digging canals, building bridges, rehabilitating villages and farms, raising fortifications, building new towns... He will have inns built on the highways and schools for those who seek knowledge' (*Rules*, p. 10).

This view of the ruler's functions was in accordance with, and no doubt drew upon, the Iranian tradition of patrimonial monarchy. Part of the

responsibility of ancient Iranian kings had been to ensure prosperity by promoting agriculture. According to the 'Letter of Tansar' (probably written in late Sasanian times),[25] Ardashir (r. 224–39/40 CE, and regarded as the ideal Iranian king) had 'made water flow in every desert and established towns and created groups of villages . . . He found builders and inhabitants and caused roads to be made' ('Tansar' p. 67). Kai Khusrau (r. 531–79), another model pre-Islamic king, according to an early Muslim source, wanted his money spent on 'building fortifications, inns, fire temples, places of worship (and) repairing the bridges' (*CHI* iii/1: 403). This may ultimately derive from, and is certainly anticipated by, Kautilya's *Arthashastra*.[26] Nizam al-Mulk's work was read throughout the Muslim world, and later in the Ottoman empire with its extensive bureaucracy. There was thus a connection between pre-Islamic Iran and at least one early modern empire.

This Irano-Islamic view of the functions of government was summed up in the 'Circle of Power'. There were several versions of this (see below, p. 104), but the basic idea was that the power of the king depends upon his army, which depends upon taxes, which depend on agriculture; and that people will not produce the goods unless they are treated justly, but that just administration is provided by the king. This too almost certainly derived from Sasanian Iran.

Europeans were on the whole less specific about the functions of the state. They defined its purpose as peace and 'the common (or public) good'. This differentiated the role of government from the private sphere (in the Roman manner), but otherwise could mean many different things. Thus the European definition of the role of government was less extensive and less detailed than that of Muslims. This was partly because the latter combined religion with other state functions. On the other hand, unlike his European counterpart, a Muslim ruler could not, for the most part, act as judge or legislator. Over the military and the collection of taxes he had absolute power.

Some Muslim and some Christian philosophers, following Plato and Aristotle, suggested that the state should provide for the moral and intellectual development of its citizens, make people virtuous and happy (Black 1992: 22–3; 2001: 121). Ibn Rushd and Aquinas, in particular, repeated Aristotle's opinion that only few attain virtue voluntarily, and most people, young men certainly, need 'fear and terror' as well. Ibn Rushd emphasized

the role of the state in the development of virtue more than his Muslim predecessors, probably because of his closer study of Aristotle. The main duty of the state is to make men good by means of education, commutative and distributive justice, and, finally, the coercion of the penal law.

The Italian poet Dante (1265–1321) was inspired by Ibn Rushd's interpretation of Aristotle to make a connection between happiness (*felicitas*), virtue, philosophy, and the state. Like Muslims, Dante added 'the beatitude of this life, which consists in the functioning of our own virtue, and which is symbolised by the earthly paradise' to the happiness that is attainable in heaven.[27] Ibn Rushd had said that philosophy will always be being pursued somewhere in the world; the sum total of knowledge can only be known to the human species collectively.[28] Dante saw this as an argument for a world-wide empire. Aristotle, he said, tells us what happiness is, but it is the emperor who makes it possible for us to pursue it. Ibn Rushd here helped Dante make the case for a universal secular authority beside the universal spiritual authority of the papacy.

ABSTRACT POLITICAL CONCEPTS

Both Muslims and western Christians reified political offices and bodies as abstract entities, distinct from the individuals occupying them. In European political thought, this was done for the kingdom (*regnum*; sometimes referred to as 'the state of the realm (*status regni*)', from which the word 'state' derives)[29] and for the city-state (*civitas*). *Civitas* was also a general term for states of all kinds; it was 'the closest there was to a standard medieval and renaissance term for "state" ' (Black 1992: 19). Another general term for state was *res publica* (public domain/commonwealth—it could be written as one word). *Respublica* suggested a public sphere separate from private interests, 'a distinct category in human affairs, in which were located those good things which affect all together'.[30] In Islamdom, by contrast, a distinction was never made between public and private acts or offices (Hodgson 1974: ii. 345–7).

The kingdom or city was also reified as an association of persons (*universitas/communitas regni/civitatis*). Europeans pictured the state as

analogous to the human body (*corpus* and especially *corpus mysticum*: immaterial body), being made up of citizens or inhabitants as its limbs (*membra*: whence 'members') (*CMPT* 480). The clergy are the head, the ruler the heart, soldiers the arms, farmers the feet, and so on. This obviously implied a hierarchy of functions, and of those performing them. The comparison of the state to a human body was a standard feature of rhetoric and political discourse (below, p. 72). This analogy was virtually absent from Muslim literature.

The point behind these expressions was that a political community was 'transpersonal', with a continuous life of its own; 'an association does not die (*universitas non moritur*) even though all its inhabitants die'. Europe developed the concept of a corporation out of Roman law. A corporation can sue and be sued. Lawyers working in the Roman legal tradition saw the corporate group as possessing capabilities and property of itself, which various office-holders administered but did not own. This was explained as a legal fiction, something not evident to the senses but created by law and entailing legal obligations and legal rights. But there was no corporation in the Shari'a. This later facilitated the development of the business corporation, It became a potent instrument of economic growth. It is difficult to conceive of an industrial economy without it.

It was the same for the office of the ruler. Thus, 'if the king dies, the kingdom remains just as the ship remains even if the helmsman falls overboard' (from the German empire, early eleventh century; cited Beumann 1965: 186). This was modelled on the church's conception of a bishop's office (*sedes*: seat, whence 'see'). The idea that the bishop succeeded to the seat originally occupied by an apostle meant that the office transcended the individual incumbent. The point was to assert that the status and authority of the bishop's office did not vary with the qualities of particular bishops (*CMPT* 227). And it was John (bishop of Salisbury, d. 1180), a strong churchman and a supporter of Becket in his conflict with Henry II of England, who applied the Roman-law expressions *persona publica* and *potestas publica* to the monarch,[31] indicating a distinction between the public office and the individual king. This was also symbolized by the crown, which passes untarnished from one holder to the next; and as such was not merely a technical or philosophical idea, but one which could be grasped by most people. It is further evidence of

the influence of ecclesiastical, and especially Gregorian, ideas on political thought.

This distinction made it easier to say that a king has failed in his office and should be replaced. This western idea applied to states regardless of their constitution; it did not only apply to a monarchy. Such language had the advantage that a political society so conceived was not thought to be dependent on a particular ruler or dynasty for its legitimacy and continuity.

Muslim political thinkers, especially jurists, developed the same idea for the deputyship or leadership (*khilafa/imama*) of the Muslim 'umma.[32] This too was an abstract concept, an impersonal office. But it derived its objective reality from divine revelation. *Wilaya* (legal competence) was another abstract concept derived from the Quran; it referred to the caliph's functions. Special *wilaya* (Ottoman *vilayet*) referred to the offices and functions of judges, military commanders, or local governors (Lewis 1988: 34). *Khilafa* referred only to the unique leader of the whole Muslim community (analogous in this respect to the Roman *principatus* (or *imperium*) and the Byzantine *basileia*). It could not be used of other states.

A state other than the caliphate was usually called *daula*.[33] This referred to a dynasty rather than a territory or a people. But in any case today it is the word used for state. This made it more likely that, when a dynasty fell, the political unit itself would dissolve and have to be reassembled. There had to be a new *daula*. Thus, we may say that in the Muslim world, apart from the caliphate, power was more personal; states were more closely identified with particular dynasties.

This accords with Marshall Hodgson's contrast between 'the sort of legitimation in which personal achievement counts high', which he thought characterized the Muslim world, and what he called the 'corporative formalism' of the western world. Muslim thought 'denied any special status to public acts at all, stressing egalitarian and moralistic considerations'; this 'ruled out all corporate status and reduced all acts to the acts of personally responsible individuals' (Hodgson 1974: ii. 342–7). The nearest thing to a corporation was the religious endowment (*waqf*), but this could not be applied to a territorial body of citizens or a group engaged in business. It appears that corporate bodies did not develop, either in practice or in theory, in the Muslim world to anything like the degree they did in Europe.

NOTES

1. *CPR* 5–7; Black 2001: 121; Crone 2004: 3, 7. See Plato, *Republic*, II. 369a–371c.
2. Al-Jahiz, *Rasa'il* i: 103–4; al-Mas'udi, *Muruj*, ed. Pellat, sec. 531; al-Maturidi, *Kitab al-tawhid*, ed. Kholeif, 182. For these and the references in what follows marked with an asterisk, I am extremely grateful to Patricia Crone for the compilation she made ('Why Societies? Why Governments? Answers in the Greek Tradition') at the conference on 'The Greek Element in Islamic Political Thought' at the Institute for Advanced Studies, Princeton, June 2003: see Gannage *et al.* 2004.
3. Al-Jahiz (776–868/9) goes on: 'It is in men's nature . . . to evade the enforcement of deserved penalties whenever they can. This is what causes general disorder and the non-enforcement of laws': in Pellat 1969: 63–5.
4. **al-Tibb al-ruhani*, ch. 17 (Cairo 1978), 105 ff.; *Spiritual Physics*, tr. A. J. Arbery, 88–9.
5. One text, attributed to the fourth-century non-Christian Themistius and surviving in an Arabic translation, spoke in a milder vein of people's 'different views on justice and wrongdoing' (**Risala ila Yuliyan*, ed. Shahid, 88–9; ed. Salim, 29–30). Compare the views of anthropologists today about the capacity of culture to create order in early societies.
6. 'Mutual dealings require law (*sunna*) and justice, which in its turn requires a lawgiver and dispenser of justice': *Ibn Sina, *al-Shifa'*, Ilayyat, X. 441 (tr. Marmura 99). This argument first appears in the Pseudo-Aristotelian *Letter to Alexander*, 'On the Government of Cities (*Siyasat al-mudun*)', which derives from a late Greek source with Persian touches (see Black 2001: 27, 31, n. 10; the exact date is quite uncertain). This argument for the state is similar to that of Ibn Muqaffa' and of some Mu'tazilites.
7. *CD* 15. 4; 18. 2. 1; 19. 12. 1–2. Similarly, al-Farabi says that members of a despotic state cooperate in order to acquire domination; their ruler is the one who is best at achieving this: LM 46–7; see also *VC* 299.
8. *Al-Jahiz, *Rasa'il*, iv. 318ff.
9. B. Abrahamov, 'Al-Kasim ibn Ibrahim's Theory of the Imamate', *Arabica*, 34 (1987), 86.
10. Pellat 1969: 63–5. Some made this an argument for kingship *tout court*: *Mas'udi, *Muruj*, ed. Pellat, Sec. 531. In al-Biruni the argument was starker still: 'man's nature is made up of contradictory mixtures, which can only be kept together by the force of a wielder of force': **Jawahir*, 6–7.

11. Cicero, *De officiis* I. 13, 22, 50–1, 153; II. 13–14; *Laws* I. 49; *De inventione* I. 2; *De Oratore* I. 30–1; *Pro Sestio* 90–2.
12. Aeneas Sylvius Piccolomini, *De Gestis concilii Basiliensis,* ed. and trans. Denys Hay and W. K. Smith (Oxford: Clarendon Press, 1967), 32–4.
13. Jolivet 1988; d'Alverny 1994.
14. *DP* I. iv. 3–4, ed. Previté-Orton, p. 13.
15. Moses Maimonides (1135–1204), whose *Guide of the Perplexed* could have been known to Marsilius, briefly restated al-Farabi's views on this topic: *Guide*, trs. Shlomo Pines (Chicago: University of Chicago Press, 1963), ii. 382. See Vasileios Syros, 'Living and Writing in Medieval Babylon: Translations from Arabic and Hebrew into Latin and the Comparative Study of Medieval and Early Modern Political Thought' (forthcoming).
16. Al-Farabi, *VC* 229. This may have been taken from the late-Greek philosopher Nemesius of Emesa (writing *c*.400): Crone 2004: 259. I would like to thank participants in the panel on political thought at the 2001 Leeds Conference on Medieval History, organized by Cary Nederman, for their helpful discussion of this whole question. I would especially like to thank Vasileios Syros for the conversations I have had with him, and the many helpful comments and references which he has given me.
17. Compare the argument of Durkheim's *Division of Labour in Society*.
18. Agriculture, manufacture, the military, finance, priesthood, and 'the judicial or counselling' part: *DP* I. v.
19. Marsilius stated that the ultimate aim (final cause) of the state is that those 'living a civil life . . . live well, having leisure for the liberal works of the virtues of both the practical and speculative mind' (I. iv. 1). Ibn Rushd referred to occupational groups again when he was discussing political justice: 'this state will be just because of the communities within it. For in it justice consists in every one of its citizens doing only that for which he is destined individually' (trs. Rosenthal, 160).
20. Al-Farabi, *VC* 235. Everyone must have a single art assigned to him (see Lambton 1981: 323). This was taken up by the Brethren of Purity, who held that all the crafts were legislated for by the prophets and sages; and, in order to assign them to their proper rank, the Legislator must know each of the faithful's occupation and conduct. They were referring here to the all-knowing Imam of Shi'ism: Marquet 1973: 232–3, 431, 586. Compare Marsilius of Padua in Black 2002: 89.
21. *DP* I. ix. 2, line 14; Quillet 1979: 117.
22. Muslim philosophers sometimes equated imam, philosopher, and legislator. On *ijma'* see Quillet 1979: 120–1.

23. But see Stefano Simonetta, *Dal difensore della pace al Leviatano: Marsilio da Padova nel seicento inglese* (Milan: Unicopli, 2000); id., *Marsilio in Inghilterra: stato e chiesa nel pensiero inglese fra XIV e XVII secolo* (Milano: LED, 2000).
24. According to Abu Yusuf (731–98): Black 2001: 25.
25. 'Tansar', pp. 5, 22; Wiesehoefer 1996: 211. It was said to have been written by a minister of Ardashir. See M. Grignaschi, 'La "Siyasatu-l-'amiyya" et l'influence iranienne sur la pensée politique islamique', *Acta Iranica*, 6 (Leiden: Brill, 1975), 33–288.
26. U. N. Ghoshal, *A History of Indian Political Ideas: The Ancient Period and the Period of Transition to the Middle Ages* (Oxford: Oxford University Press, 1959), chs. 6–7.
27. *De Monarchia*, iii. 16. In the *Divine Comedy* the Earthly Paradise is situated between Purgatory and Paradise; Dante finally meets Beatrice there: *Purgatorio*, xxviii–xxxiii. See E. Rosenthal 1958: 15.
28. F. Rosenthal 1970: 309; Urvoy 1991: 107, 110. Compare Ibn Rushd, *CPR* 5, 28 (and in Urvoy 1991: 110) with Dante, De *Monarchia*, i. 4. See also Lambton 1980: 138.
29. *Status* was used of the Carolingian empire as early as 817: *CMPT* 174 n. On pre-modern concepts of the state in Europe, see Post 1964; Skinner 1978: ii. 352–8; Black 1992: 186–91.
30. Black 1992: 19; Tellenbach 1993: 186. See Cicero, *De officiis*, II.
31. *CMPT* 208, citing Kantorowicz 1957.
32. Lewis 1988: 31–41; *EI, s.v. imama, khilafa.*
33. The usual Ottoman expression for what historians term 'the Ottoman empire' was '*devlet-i al-i Osman*: the state of the house of Osman'. On the term *sultan* see Lewis 1988: 35.

3

Society: Tribe, Commune, and Nation

THE FAMILY

The role of the family in Europe and in the Muslim world was somewhat different. Europe was unique in developing the nuclear family, at an early stage, at the expense of the extended family or clan.[1] Unlike the Quran, the New Testament played down the importance of the family (Matt. 10: 37–8; 19: 29; Luke 14: 26). Celibacy was the ideal for Christians. The priest was 'father' to his flock (Goody 1983: 194). For Christians monogamy was obligatory and divorce virtually impossible. Europeans tended to marry late and have fewer children. More importance was attached to the consent of both female and male partners to marriage than in most other cultures.[2] The role of the extended family was also undermined by restrictions on vendetta and feuding. The prohibition on marriage to close kin was more restrictive in western Christendom than in eastern Christendom, Islam, or Judaism. Goody argues that this was a means by which the church authorities in the West made it more difficult to keep property within the family, in order to increase bequests of land to the church, and that it succeeded.[3] Clerical celibacy was more emphasized in the western than in the eastern church.

These were some of the factors which diminished the role of clans and, at the same time, reduced the moral standing of tribes, which were also based on kinship; tribes had disappeared from Europe, except in peripheral areas, by the eleventh century.[4] This differentiated Europe from Islamdom, and from most other cultures. The move from extended to nuclear families may have encouraged a heightened sense of individuality.

WOMEN

Women featured prominently in the gospels and in Christian devotion; they were mentioned separately in greetings and moral advice in the New Testament epistles and other early Christian documents. In the early Christian communities women had specific roles (Brown 1988: 145–50); there was a special duty to look after widows. All this was informal. There were no females in positions of authority any more than there were in the Muslim community, where women could also always exercise power informally in the household. But, whereas in Muslim society women were kept secluded in domestic areas and played no role whatever in public life—there were no sufi orders for women—in Europe there was 'no rigid separation of the sexes; in the Germanic tradition women appear to be able to play a public role and to have some political authority'.[5] They inherited their husband's property and, very often, succeeded to a dynastic monarchy.

FEUDALISM

In Europe, tribe and clan were replaced partly by the lord–vassal relationship, in which the vassal swore an oath of fealty and did homage to a lord. In return he received land as a fief, conditional on service and loyalty. This established the lord as protector, the vassal as his follower and dependent. But it imposed obligations on both parties, as a kind of contract; there was some security of land tenure. This landlord–tenant relationship was hereditary, renewable on the death of either party. It also applied to 'ruler and subject, patron and client, employer and employed', officer and soldier.[6]

The king's vassals were the great nobles; they in turn were the lords of lesser men, and so on down to the humble peasant. The oath of homage meant vastly different things at different points on the social scale, ranging from cooperation to subservience. Only a powerful vassal, himself the lord of men, could assert his 'rights' against his superior.

In Muslim society the leading warriors or notables held lands as a kind of fief (*'iqta*, *timar*) from the sultan (to whom in theory all land belonged),

and they too swore an oath of fealty (*bay'a*). But the oath was not mutual; the sultan did not enter into any obligations to his subordinates. And it was not replicated down the social scale. The *'iqta* was not hereditary; land could be redistributed upon the death or disgrace of a tenant, or a upon change of sultan.[7] This was a significantly different version of the military-agricultural complex. The landed aristocracy had much less military power and political influence in Islamdom than in Europe.

COMMUNES

In Europe tribe and clan were also replaced by associations based on oath, ritual, and artificial brotherhood.[8] Numerous associations arose out of sworn agreements between men of equal status, not necessarily kinsmen, to stand by and protect one another.[9] These oath-associations or communes were, as Weber (following Gierke, though without acknowledgment) recognized, peculiar to Europe. They facilitated the development of a new type of community based on neighbourhood and common interests: social and craft guilds, village and town communes, eventually city-states.

In cities the political community was, as in feudalism, based on an oath, but an oath sworn by all citizens to each other.[10] In the Muslim world, by contrast, cities were divided into districts, housing different clan, local, tribal, and sectarian groups, each with its own identity. Craft guilds developed in both cultures, probably earlier in Europe. Here they were not only, as they were in Islamdom and elsewhere, self-regulating interest-groups; they also played a part in city government.

Clan and tribal loyalties remained relatively strong in the Muslim world. If we compare the tribe with the oath-associations and other corporate groups (such as universities) that were developing in Europe, one may say that the clan and the tribe elicited a more all-embracing loyalty. The oath-association generated a sense of belonging distinct from that of either family or tribe. It was more formal. But it was more adaptable, being organized not by kinship and age but by a constitution and votes. But one should not romanticize medieval Europe as having a particularly strong 'sense of community'; nor was it especially 'corporative' (as suggested by Hodgson: 1974: ii. 342–4).

NATION

The tribe was also superseded in Europe by the nation (gens, *patria*). With the collapse of the Roman empire, the newly arrived 'barbarians' established themselves as independent peoples with their own kings and law-codes. The first European nation-state was Visigothic Spain. Catholic church leaders, such as Pope Gregory the Great, recognized such nations as the legitimate successors of the Roman empire. For it was partly their function to bring together former Romans and barbarians under the single banner of Catholic orthodoxy. This became a basis for national solidarity, the new 'other' being Jews and heretics (Geary 2002: 134–5). Thus nations as self-conscious political units appeared much earlier in Europe than some allege.[11] By 900 'the idea of a people as a community of custom, law and descent was already well entrenched in western society... A kingdom was never thought of merely as the territory which happened to be ruled by a king. It comprised a "people" (*gens, natio, populus*), which was assumed to be a national, inherited community of tradition' (Reynolds 1984: 256, 250). National identity was promoted by royal-dynastic policy, by nobles' organized opposition to a king (England), and by opposition to foreign rule (Scotland, Bohemia).

Thus, while in the Islamic world the community of language, faith, shared historical consciousness, and a common awareness of insiders and outsiders, were all projected onto the 'umma, in Europe these were projected onto nations. Nationhood was and is one of the distinguishing features of European political culture. One might call it tribalism writ large.

Nationhood played a similar role in the parts of Europe under Byzantine influence. The Bulgars, Serbs, and Russians were converted to Orthodoxy *en masse* and adopted it as one of the defining features of their nations (Obolensky 1971). In western Europe nationalism was stimulated by comparing peoples such as the Franks to ancient Israel, their kings to David (Miller 1974: 130). One nation after another, most recently the United States, saw itself as the new Israel, a holy nation, a chosen people. This political strategy was made possible by the silence of early Christianity where teaching on political matters might have been. The Christian church was less of a political community. It tended to latch on to whatever viable political entity was on offer, whether the Roman empire or the nations of Europe.

Nicole Oresme (d. 1382) justified nation-states because the character of peoples varies according to climate and language, and no government can in practice rule more than a limited area (Black 1992: 111–13). But there was no theory of the nation-state before Herder and Hegel. More recently, nationhood has developed into a religion with its own story. The obvious example has been Germany, but there is one from the Muslim world too: Turkey. Here too historiography was the handmaid of nationalism. The takeover of the Ottoman government by the Young Turks in 1907 stimulated Turkish scholars and publicists to glorify Turkish history like their nineteenth-century counterparts in Europe. The rationale for secular nationalism in an Islamic society was set out by Ziya Gokalp.

Early Islam contained elements of Arab nationalism, but Muhammad and his followers rejected the Judaic path of national exclusiveness and created instead a new international community. In Islamdom, nations were conceived as social assemblages with their own culture, customs, and, in some cases, religions: Jews, Armenians, Arabs, Persians, Turks. (The convention was that Arabs specialized in religious learning, Persians in administration, Turks in warfare.) Royal courts, on the other hand, fostered a trans-national courtly culture, which included some pre-Islamic elements, as well as exploiting the cultural heritage of their territories; while religion was in the hands of the self-consciously trans-national coterie of the 'ulama. Some Muslim states were ruled by a dynasty from one minority ethnic group (for example, the Buyids and the Saljuks). The Ottoman empire, on the other hand, was peopled and its bureaucracy staffed by a greater mix of ethnic groups than any other pre-modern polity (except the Roman empire).[12]

Thus the unity of the 'umma overrode ethnic differences far more than did the church in either eastern or western Christendom, either before or after the Reformation. There was no nation-state in Islamdom until the twentieth century.[13]

CHURCH AND 'UMMA

In both Europe and Islamdom the universal religious community– church (*ecclesia*) or people (*'umma*)—was, in theory, the most important human association. Both Christians and Muslims believed that they were members

of a universal religious community, membership of which was necessary for entry into heaven ('no salvation outside the church', *extra ecclesiam nulla salus*). Membership of this society overrode all other social claims. Each made a radical distinction between members and outsiders. Each had a strong sense of the spiritual meaning and cosmic destiny of their religious community.

Early Christians saw themselves as the new Israel—spiritual, non-racial, and non-territorial. For both Christians and Muslims the unity of the religious community was a divine mandate. For Christians unity meant above all an interior mindset: people should 'think the same thing, having the same love, together in soul (*sumpsuchoi*), thinking one thing' (St Paul, Phil. 2: 2). Even so, and despite the sternest prohibitions, fundamental divisions arose within both church and 'umma, fuelled in both cases by the stress each religion put on the individual's direct line of communication with god: everyone could claim divine inspiration, and therefore had a right to their own opinion.

The 'umma combined the intimacy of a face-to-face group with the size of a global society; it was at once tribe and an international society. The Shari'a replaced and transcended tribal custom. It reinforced the presence of the group in the individual by means of a system of ethics and rituals—alms, pilgrimage, the regulation of intimate personal matters—which went far towards creating interpersonal bonds on a global scale. Early Islam harnessed the power of individuals and of the masses without a rigid class system or a heavy bureaucracy. This gave it an advantage over the monarchies of Byzantium and Iran. It regulated without centralizing.

This partly accounts for its early military successes. The absence of significant boundaries within Islamdom facilitated the movement of resources, personnel, and skills. It generated an outburst of commerce and culture. The economic boom of the Nile-to-Oxus region during the European 'Dark Ages' was made possible by a social discipline that relied on individual conscience and a diffuse religious leadership in a relatively egalitarian society. The 'ulama remained a less formal group than the Christian clergy, giving Islam 'a nongovernmental center' based on 'communal self-help [and] close personal bonding' (Bulliet 1994: 167–8). Commerce was facilitated by trust between members of the same new faith, by common laws and procedures for exchange, contracts, credit, and property.[14] You did not have to be a Muslim to join in: from Spain to China, from the

Mediterranean to the Volga, 'merchants of all confessions traversed the world' (Cahen 1977: 327).

Muhammad had been a merchant, and commerce was more prestigious among Muslims than in Byzantium or early Europe. The Quran and hadith paid detailed attention to commercial transactions. Trade was said to be more virtuous than cattle-rearing or manual labour, because of the benefits it bestows on others ('when you leave your house for the bazaar, do so with the intention of satisfying the wants of a Muslim': cited Goitein 1966: 227). Merchants even helped to mould religious theory and practice (ibid. 219). Commerce was a form of *jihad* (religious enterprise), using one's profits for the benefit of one's extended family a form of almsgiving (*zakat*). There were high moral standards for the merchant; excessive profit was condemned along with usury. It was much as Adam Smith would have wanted. Skilled manual crafts, on the other hand, appear to have been equally esteemed in the Muslim world and in Europe.

The Islamic path from tribalism to a wider, citied society largely bypassed the centralized state. Like a tribal society, Islam consecrated both actual kinship (Quran 33: 6) and, through holy war, the artificial fraternity of males. Muslims practised hereditary fitness in religion. The qualities of spiritual leadership were widely believed to be hereditary. The caliph, according to Sunnis, had to come from Muhammad's tribe; according to the Shi'a, he had to be one of his direct descendants.

Unlike the monarchical-feudal states of Christian Europe, the Islamic project linked up the segmental tribes without destroying their internal structures; they remained as units of social cohesion and even of local self-government. They played a part in warfare, rebellion, and dynasticism; they are still often the cells of the social structure.[15] In the Muslim world associations tended to be based on religion and kinship, while in Europe territory, nationality, and the state loomed larger. In Europe you had kingdoms, nations, cities, religious orders, and, in Protestant times, sects; in Islamdom, sufi orders, sects, tribes, and non-Muslim religious communities (*dhimmi*).

CLASSES

Christianity taught, in a general way, the equality of all human beings in the sight of god. Differences of race, status, and gender count for

nothing. The first Christians rejected all social distinctions.[16] Paul thought the Christian ethic required economic equality (*isotes*) among believers: people should give according to their means to meet the needs of other members, who would reciprocate on another occasion (2 Cor. 8: 14). Each type of worker is equally important; the 'less honourable' occupations have 'special honour'.[17] According to the apologist Lactantius (*c.*250–317), god 'has willed that [men] should all be equal'; the reason why the Greeks and Romans failed in their quest for justice was their class structure (EB 462). Inequalities, including slavery, were ascribed to sin or social necessity. They were no indicator of the real worth of the individuals involved, and should be abolished when possible.[18] People should release their slaves, because it is not nature but guilt that has subjected them; 'we were all created equal in status (*conditione*)', said a ninth-century abbot (Carlyle 1962: i. 199, 209). Islamic teaching insisted on the legal equality of male Muslims (Marlow 1997). The Quran accepted slavery, but not for Muslims.

The most common way in which Europeans explained social inequalities and the division of labour was by means of analogy with the human body. St Paul had applied this to the church, precisely in order to explain the division of labour within it: 'just as the body is one and has many limbs, and all the body's limbs, though many, constitute one body, so too is Christ' (1 Cor. 12: 4–30; Rom. 13: 1–6; Eph. 4: 11–13). European thinkers applied this to political society: the king is compared to the head, the priesthood to the heart, warriors to the arms, labourers to the feet, and so on. St Paul's moral had been the need for mutual respect and sympathy among fellow-believers; medieval Christians simply extended this to the need for harmony in society at large. People in different occupations ought to cooperate for the good of the whole. The organic analogy took for granted social stratification and inequality. It was an argument against social unrest and class conflict.

Muslim writers also employed the analogy between body and society (Al-Azmeh 1997: 119–20), but I suspect less often. Their emphasis seems, rather, to have been upon a division of society into the elite and the masses (*al-khassa wa'l-'amma*: lit. the special and the general). The implication, of course, was that the elite were superior. The Ottomans generally talked of, on the one hand, *'askeri* (lit. warriors, the tax-receiving ruling class); these included the army, religious scholar-teachers, and the scribal bureaucracy (Fleischer 1986: 7); and, beneath them, the *re'aya* (flock), tax-paying

subjects, consisting of all those who make their living by commerce and labour, and also religious minorities and tribal peoples under indirect rule.

But in addition to this, Muslim writers also adopted early on the Indo-Iranian classification of society into four status groups (sing. *rukn*: pillar). The usual categories were: (1) warriors, (2) scholars and teachers, (3) merchants and craftsmen, (4) those who work in agriculture. Something like this first appears in the (reported) views of an Iranian vizier of Caliph al-Rashid, then in *The Book of the Crown* (written for an Iranian dynasty in the mid-ninth century), and again in the Persianizing Ibn Qutaiba (828–89) (Black 2001: 53–4). This is consistent with an Iranian origin of the idea.[19] This view of social classes may ultimately derive from, and is certainly paralleled by, the Indian caste system which specified Brahmins, warriors, agriculturalists, artisans.[20] It is, however, conceivable that people in different cultures arrived at this classification independently. In any case, this list of classes became a constant mantra of writers on society in Islamdom.

One interesting variant is the late sixteenth-century Ottoman al-Aqhisari, who described the four orders as: (1) men of the sword—emperor, viziers, governors, commanders, soldiers; (2) men of the pen—religious scholars and all those engaged in works of piety and knowledge; (3) farmers, both Christian and Muslim, who rear cattle and produce cereals, fruit and wine; and (4) artisans and merchants (Black 2001: 146). The fourfold classification remained current until the nineteenth century. The Ottoman reformist writer Katib Celebi (1609–57) combined it with the organic analogy by likening the four 'pillars' of society to Galen's four humours (ibid. 265). Seventeenth-century Ottoman reformers typically went on to argue that social mobility was a cause of imperial decline: people should stay in the status group they were born into, for life. This whole idea of fixed ranks contradicted the Quranic view that people's worth depends upon their piety and knowledge; as well as the neo-tribal assumption that it depends upon individual prowess. But I know of no moralist, Sunni or Shi'ite, who spoke against it.

Latin Christian writers paid less attention to this kind of social stratification; when they did, they divided society into those who pray, fight, and work. This may have come from Indo-Iranian sources (Duby 1980), but more probably from Plato, or indeed everyday observation.

Muslim *philosophers* often said that even the perfect society is divided into status groups along the lines of Plato's threefold classification: philosopher-rulers, warriors, everyone else (the economically productive) (Black 2001: 73, 102). But in this case which group you belong to depends on your *mental* abilities (ibid. 73, 103, 151). That is to say, they *may* not correspond to actual social classes; but such a classification would always tend to privilege the religiously expert (which would include the author). Such a view of the intrinsic, and possibly to some degree inherited, stratification of persons, even for religious purposes, according to their mental abilities, was not shared by Christian thinkers; perhaps partly because they saw 'faith' rather than 'knowledge' as the primary way of accessing the deity. In these ways, both Christian and Muslim theorists explained social inequalities to people whose religions might be interpreted as teaching equality.

NOTES

1. In Byzantium too the nuclear family gained in importance from the seventh century: Haldon 1991: 401.
2. 'Servants are not bound to obey their masters, nor children their parents, in contracting marriage, preserving virginity, or any other such matter': Thomas Aquinas, *Summa Theologiae* II/IIae 104. 5 (in D'Entreves 1954: 176).
3. Goody 1983: 39, 46, 95, 102.
4. Ibid. 22; Bloch 1961: 139.
5. Goody 1983: 11, 8, 23, 25, 155; E. L. Jones 1981: 11–12, 15.
6. Reynolds 1994: 33. It seems preferable to avoid the term 'feudalism', with its over-systematic implications: Reynolds 1994; but see the review in *EHR* 110 (1995), 1210.
7. Inalcik 1973: 110; Nicoara Beldiceanu, *Le Timar dans l'état ottoman* (Wiesbaden: Harrassowitz, 1980).
8. Bloch 1961: 419–20 and 131: 'the act of association was likely to take the form of a fictitious "fraternity".'
9. Gierke 1990/1868; Weber 1972/1921; Black 2002/1984; Prodi 1992. Both Gierke and Weber saw these as among decisive differentiating factors of Europe.
10. As a twelfth-century French commune put it: '[we] have elected to be governed by a common oath-association (*communem coniurationem*) so

that each one if need be may sustain his neighbour as his brother' (Black 2002: 56–7).

11. 'A distinctive law was a normal characteristic of a *gens*': *CMPT* 138; Teillet 1984: 640–1; Markus 1983: 23.
12. The principle of non-ethnicity was carried to the very heart of Ottoman government by the enforced levy (*devshirme*), which gave gifted youths from Macedonia, Greece, Bulgaria, Serbia, and elsewhere key roles in the Ottoman military and administrative system.
13. For modern Arab nationalism, Hourani 1983. Iran from the sixteenth century may have looked like a nation-state, but political consciousness was focused rather on Shi'ism. *Watan* (Turkish *vatan*), meaning nation-state or fatherland, is a neologism: Lewis 1988: 40–1.
14. Cahen 1977: 198, 323–58.
15. 'Three-quarters of the Iraqi population were tribal and not used to obeying any government' (an observer in 1918, cited Patrick Cockburn: *Guardian*, 14 Oct. 2005). Pakistanis coming to Britain 'brought with them a rural tribal mentality, where everything remains in the family group. Marriage, business, religion—who your friends are, who you vote for...—it's all designed to keep power with the elders, who are in turn answerable to clan elders, who may be answerable to senior members in Pakistan' (David Akhtar, *Observer*, 23 Oct. 2005).
16. 'There is no such thing as Jew or Greek, no such thing as slave or free, no such thing as male and female, for you are all one in Christ Jesus': Gal. 3: 28; James 2: 1–13.
17. 1 Cor. 12: 4–30; Rom. 13: 1–6; Eph. 4: 11–13. Anus and hand, garbage-collector and architect, are of equal importance (as we all know). Clement of Rome used army ranks to make the same point (*ECW* 42–3).
18. 'Nature produced all men as equals but with a different order of merit': Pope Gregory I, cited Reydellet 1981: 464.
19. R. C. Zaehner, *The Dawn and Twilight of Zoroastrianism* (London: Weidenfeld & Nicolson, 1961), 284–5.
20. Brian K. Smith, *Classifying the Universe: The Ancient Indian Varna System and the Origins of Caste* (New York: Oxford University Press, 1994).

4

Regimes: Europe, Islam, and Byzantium

MONARCHY

In Europe, Islam, and Byzantium monarchy was the only constitution taken seriously, until things changed in Europe from *c.*1050. The idea of monarchy was in some ways similar in all three. Both Christians and Muslims took over some of the ideology of sacred monarchy which for more than two millenia had been current in the Near and Middle East, most recently in Sasanid Iran and the eastern part of the Roman empire.

Eastern and western Christendom both drew their notion of sacred monarchy[1] from Roman imperial ideology as it had been christianized by Eusebius of Caesarea (*c.*260–340). In the late Roman empire both pagans and Christians saw the emperor as the reflection of cosmic order on earth, his rule universal and everlasting. Christianity's own model of cosmic monarchy was especially uncompromising: the one emperor (*basileus*) reflects the one god,[2] oligarchy and democracy being as silly as polytheism. The Roman emperor was said to rule 'by god's favour (*dei gratia*)' as 'god's deputy (*vicarius dei*)'. He had the wisdom and beneficence (*philanthropia*) of god,[3] receiving, as the Persians put it, the 'efflux' of divine grace. In East Christian language, he was the likeness and imitation of god, just as the statue (*ikon*: image) was of a saint. The common form of address to the Byzantine emperor was 'O most divine emperor'. The later Roman empire was 'both in theory and in practice an absolute monarchy' (A. Jones 1966). This view of monarchy was revived in early modern Europe as the divine right of kings, and persisted in Russia down to the twentieth century.

The church in the West was beginning to invest the papacy with some monarchical authority in religious matters. From the later fourth century the papacy claimed that it was the supreme court of appeal in religious matters. Popes, like emperors, issued their own authoritative replies

(*rescripta*) to questions of law. Each pope was said to inherit the status of Peter, to whom Christ had entrusted his authority; Rome was *the* apostolic seat (*apostolica sedes*) in which Peter's 'power lives, his authority excels'.[4]

At the same time, the legal basis of absolutism in the Roman empire was still, as under the Principate, based on the transfer of sovereignty by the people (Anastos 2001: 30). The emperor was supposed to imitate the divine virtues; beneficence meant being good to the poor. The Byzantine emperor was reminded that physically he was 'on a level with all other men' (EBa 57; A. Cameron 1985: 253).

The early European view of monarchy also derived, not (as scholars once thought) from Germanic tribalism, but from the christianized Roman empire (Ehlers 2000–1). The king held power 'by the grace of god' as his deputy; he was compared to the great kings of ancient Israel.[5] Though not a priest, the ritual of coronation made him more than a layman. But Christianity was taken a little more seriously in western political thought. Churchmen, especially Pope Gregory I, stressed that a king was also the servant (*minister*) of god.[6] Just before the rise of Islam, a French king was said to fulfil 'a prophetic service (*ministrationem propheticam*)' (in Wallace-Hadrill 1971: 48). Kingship is an office established by god for the welfare of the people.

The idea of the divinely ordained ruler was given fresh impetus by the restoration of the empire in the West under Charlemagne (800) and again under Otto I (962). These produced no new ideas, but an impressive assemblage of odd pillars and friezes salvaged from ruins, on which the imagination might play. The language of imperial Christianity was used right through the European Middle Ages, and in the early modern nation-states and the European empires. The United States, the latest candidate for new Israel, has its own version of the Eusebian myth.

Islamic monarchy differed in some respects, but may still be called a version of sacred monarchy.[7] The caliph (Muhammad's deputy), also called imam (leader), was the one world-wide political, military, religious authority prescribed by god. The Prophet of Islam provided a more obviously political model of conduct for Muslims than Jesus did for Christians. Muhammad's combination of military and spiritual leadership was just what was likely to appeal and to succeed. Anyone who gained power tended to have ascribed to them the qualities of Muslim leadership: severity towards enemies, mercy to those who submit, lineal descent from the

Prophet. One could subscribe to such a ruler without losing one's dignity. The relationship between subject and ruler was conceived in personal terms of loyalty and love. This, then, was charismatic monarchy.

The clearest example of charisma was the *mahdi*: the inspired leader ('incarnation of god... vessel of divine light': Crone 2004: 83), who was suppose to appear (and has appeared on several occasions) by divine fiat to redress wrongs and fill the earth with justice. According to the Shi'a, the Twelfth (or, according to some, Seventh) Imam will return at the end of time as *mahdi* and redresser-of-wrongs to establish justice and equality. Mainstream Twelver Shi'a, like orthodox Christians, believed that god alone knew when the holy one would return, and it was not up to believers to second-guess the date.

Muslims seem to have been especially prone to put their faith in an outstanding individual leader. In Islamdom there was a tendency, expressed in all types of literature, to believe that true authority resides with an individual who is outstanding in virtue, piety, and intelligence. The ultimate model was of course Muhammad himself. Byzantines portrayed Justinian as a philosopher king (EBa 56–7). Even the most penetrating of the Ottoman reformers pinned their hopes on 'a man of the sword' (Black 2001: 164–6).

Absolutism was never as mindless as westerners make out. It had experience behind it: 'one day of disorder is worse than a year of injustice.'[8] When a sultan dies, remarked al-Ghazali, there is usually civil war: those possessing the divine favour may act harshly, but it is best to endure their rule. Even the philosopher Ibn Rushd thought people could only be made to behave 'through the action of a strong ruler who coerces [them]', and that 'coercive power to this end is not found unless the king is an absolute king (*rex absolutus*)' (*On Ethics*, fol. 316^{v}). This culture of absolutism is alive and well in the Middle East today.[9]

On the other hand, just as Islam raised god yet further above mortals, so the idea of the caliph as deputy of god was soon scotched (Crone and Hinds 1986); he was only the deputy of Muhammad. The 'ulama, not the caliph, were the transmitters and interpreters of the divine message.

Nevertheless a caliph could still say: 'I am simply the authority of god on this earth.' The ruler was to his subjects as god to his creation; to obey the king is to obey god. And he was more closely tied in to the religious structure than a Christian king or emperor. Virtually everyone

(see Crone 2004: 62–3, 67–8) agreed that a caliph was an essential part of the order willed by god. In legal terms, a caliph was necessary to validate contracts. Certain aspects of the religious law required his participation or consent, tacit or explicit. Only the imam or his representative could appoint judges. Without the imam there is no community, and the community is the vehicle of salvation. As al-Ghazali said, without him 'there would be no Friday prayer, no collection of taxes, no missionary jihad, no judges and no execution' of Shari'a punishments (Crone 2004: 22, 238, 242, 292).

The 'Abbasid clan dynasty, from whom caliphs were drawn from 750 till 1258, combined their Islamic status with Iranian ideas and practices of government. The monarchical ideology and political art of Sasanian Iran was introduced into the Muslim orbit by Ibn Muqaffa''s *Message to a Companion* (or *Master*) (*Risala fi'l-sahaba*: written 754–6). The *Risala* systematically applied the principles of patrimonial monarchy as they had evolved in ancient Iran to the caliphate (Black 2001: 21–4). It was a provocative work and may have cost its author his life. Perhaps yet more remarkable was the subsequent import of Iranian social thought by someone who appears not to have had a political axe to grind, the devout proto-Sunni Ibn Qutaiba (828–89). He justified the use of non-Islamic culture by saying there are many roads to god, 'and the gates leading to the good are open wide' (Black 2001: 53–4).

This reintroduction of patrimonialism under the 'Abbasids and their successors coincided with attempts to revive imperial monarchy in Europe under Charlemagne and the Ottonians. These twin ideological phenomena were not unconnected, because one may see the rebirth of empire in the West as part of a strategy to rebuild western Christendom as a political entity in response to the Muslim invasions. Both Islamic and Latin imperial monarchy drew ultimately on Middle Eastern monarchical monotheism.

The 'Abbasids added Quranic meaning to Sasanian concepts, saying that the caliph was the shadow of god on earth, the refuge of the oppressed, the link with cosmic order. This was the underlying theme of the Muslim Advice to Kings literature for centuries; and there has been no slackening in modern times. The Ottomans again used the old Persian expressions for their claim to world sovereignty: the sultan is 'king of kings (*malik al-muluk*)', 'the universal ruler who protects the world

(*padisah-i alempanah*)'. Suleiman the Lawgiver (or The Magnificent, r. 1520–66) claimed to be shah in Baghdad, Caesar in Rum (Byzantium), sultan in Egypt.

The Shi'a developed a distinctive notion of religio-political leadership. According to them, the true caliph had gone into hiding; the existing caliphs have no religious status. Knowledge of revelation depends upon the imam, above all (after the tenth century) the Twelfth or Hidden Imam. The logic of the argument, as it was developed in the eleventh century by al-Tusi and others, was that (in Halm's words):

> Since man is fallible and consequently in need of guidance, divine grace cannot but grant mankind the benefit of rightful guidance at all times by an Imam who is immune (*ma'sum*) from sin and error. Since the ruling caliphs are notoriously sinful and fallible and act tyrannically, there must be a Hidden Imam; without the latter's existence mankind would be forsaken by God, man would indubitably go astray. (1991: 55–6)

The twelve true Imams were thought to be necessary to the constitution of the universe.

This resembled the argument for the infallibility of pope or council in Christian thought. Like the Shi'a, both Eastern Orthodox and Latin Catholic Christians held that the Christian revelation can only be sustained if there is an infallible decider of doctrinal disputes; therefore god must have provided one. For some this was the ecumenical council of bishops, for others the papacy.

There was an age-long dialogue between royal clanship and prophetic individualism. The Saljuks revived the dialectic between tribe and state. Muslim rulers allowed tribes and other groups to retain their internal autonomy, and so created a new type of multi-ethnic and multi-cultural order. Under the Safavids, the shah claimed to represent the Hidden Imam as 'the ruler of the age' (Black 2001: 223–4). Akbar, Mughal ruler of India (from 1556 to 1605), aspired to be the spiritual guide of his people.

Thus, in some ways Byzantium, Islamdom, and early Europe shared a common ideology of sacred monarchy. In all three belief in absolute monarchy was sustained by Abrahamic monotheism. The idea of the ruler's ultimate accountability to god was also common to all three. Muslim writers especially revelled in describing how god would punish those who abused their absolute power.[10]

Political theorists in Islamdom and Europe based their argument for monarchy on rational as well as religious grounds. Monarchical theorists in both cultures appealed to the experience of disunity and civil war when monarchical authority breaks down. For Muslims, monarchy was the rational human response to the lawlessness and conflict brought about by our untamed instincts (see above, p. 45). The best solution was government by a single individual, because this removes dissensions within government itself. 'If these various [governmental] functions were the responsibilities of many persons without any power to bind those persons together, order would disintegrate. Hence, a king becomes indispensable.'[11] Europeans made exactly the same point (Black 1992: 70).

JUSTICE AND LAW

In both Islam and Europe the primary obligation of kingship was to rule justly. Justice was the political norm most often invoked in both societies. Islam defined justice as the revealed law of god (the Shari'a);[12] whereas Europe took its notion of justice (*ius*, *iustitia*) from Stoic thought and Roman law as much as from the Bible. In Europe, the Byzantine empire, and the Muslim world justice was set out in systems of laws. As we have seen (above, pp. 12–13), the laws in question were different in nature, and derived their authority from different sources. Neither Byzantium nor Europe had a religious law in the Judaeo-Islamic sense.

For Muslims, 'living in accordance with god's law was the essence of religion . . . *shar'* was often used to mean religion in general' (Crone 2004: 8); the Shari'a was the full and final embodiment of justice. Behind the Muslim view of the ultimate unity between religion and politics lay an aspiration to achieve on earth a society that is truly just, that is in accordance with the Shari'a. For Muslims, justice was where religious and worldly interests meet: 'the world can exist without religion but not without justice.'[13]

For Europeans, what justice meant was not defined in religious sources or by religious teachers as it was for Muslims. *Iustitia* was defined in the Roman law-code only in very general terms, for example, as 'the firm and constant intention to give each person their due'. This, conveniently

or otherwise, left open to interpretation what each person's 'due' might be. Christianity, as we have seen, laid down only general principles, such as the Ten Commandments (in this respect it was like Stoicism). The Shari'a, on the other hand, being designed to deal with every aspect of believers' lives, covered what in the West came to be divided up between moral principles ('natural law') and the laws of different states and nations ('human/positive law'). Philosophers said positive law ought to be an application of natural law to particular times and places, though there could be some legitimate variations because law was supposed to take account of the differences between peoples. This difference between the European and Muslim notions of justice had significant consequences (below, pp. 146–8).

Europeans derived most of their ideas about legal procedure from the civil law of ancient Rome, of which Muslims knew nothing: for example, 'no one is judge in his own case', 'let the other party be heard' (Stein in *CMPT* 37–49). Impartiality was also emphasized in Muslim Advice books, where it was commonly insisted that all litigants should be treated equally regardless of status.

Both Byzantines and Europeans divided law into the ecclesiastical laws of the church (canon law) and the secular (civil) laws of the state. Generally speaking, canon law dealt with religious sin and breach of faith, royal law with other criminal and civil matters, including land-ownership and breach of the peace (Berman 1983: 516). Canon law covered, first, certain matters on which there was deemed to have been a specific revelation, such as marriage and abortion, but these were few; here, and here alone, it resembled the Shari'a. Most of canon law, however, was recognized as having been laid down by human church authorities, by whom it could also be revised or revoked. Hence most of canon law had a status quite different from the Shari'a.

Europeans relied to a much greater degree than Muslims on non-religious codes of law, whether ancient Roman, national, or of a city. Roman civil law occupied much of the space filled by Shari'a but it was neither sacred nor immutable. It could be added to, and Bartolus showed that it could be drastically reinterpreted to suit changed times (Black 1992: 127–9). The first Anglo-Saxon code (dating from 597 CE, just after the reintroduction of Christianity) set out 'extraordinarily detailed tariffs for various injuries'; in content, therefore, parts of it resembled the Shari'a.

But it is now completely forgotten. These 'laws of the realm' were thought to embody substantive justice (so too did canons of the church made by councils of clergy), as the Shari'a was also thought to do, but in a less exact way.[14] They derived their authority from the king acting with popular consent, and could be changed by the same means. There could be legitimate variation between the laws of different states.

LAW AND THE KING

Europeans, Byzantines, and Muslims alike professed the *moral* supremacy of law over rulers. This was the oldest limit on monarchical power. But there were crucial differences in the way this principle was applied in Europe on the one hand, and in Islam and Byzantium on the other.

In Europe, church courts could, in theory, enforce ecclesiastical law against the king; whether they did so depended on power politics. Some European states devised constitutional means to bring to account a king who refused to comply with the secular laws. A Byzantine emperor was not *legally* accountable; his duty to observe laws voluntarily was correspondingly stressed (Dvornik 1966: 671, 719–22). Rather, he was said to be above the law, in fact superior to it, because his judgements were more flexible, giving scope for 'philanthropy' (Nicol 1988: 64–5). In early European states, on the other hand, kings were held to be obliged to observe secular (as well as canon) laws, and it was repeatedly said that sanctions could be brought against them if they failed to do so. This was affirmed in coronation oaths, when typically the king promises 'before the church of god and all its ranks' to observe both canon law and the the secular laws of the realm (887 CE: Carlyle: i. 244).

Sultans were obliged to observe the Shari'a just like all other Muslims. But this issue was rarely discussed in either Islamdom or Byzantium. It did not enter public discourse as it did in Europe. There was no mechanism to bring a sultan or a Byzantine emperor to book, except in the hereafter.[15] In Muslim states the ruler had in practice a free hand over the lives and properties of his subjects. 'No medieval Muslim ruler, or for that matter governor or general, is on record as having gone to trial for having killed, tortured, jailed, or robbed innocent Muslims' (Crone 2004: 283).

It was generally acknowledged that the sultan could act outside the law on grounds of public interest (*siyasa*). In Europe a king was also entitled to set aside the strict application of the law in the interests of equity (*epieikeia*).

Canon law was made by councils of bishops, in which, in eastern Christendom, emperors could play a part. A European king played no part in making canon law.

Secular laws were promulgated by the Byzantine emperors, who as 'the living law (*lex animata*, *nomos empsuchos*)' also had the power of revising and interpreting the law. Secular laws were promulgated by kings in Latin Europe; parliaments later claimed the right to approve changes in the law (below, p. 95). The Shari'a, on the other hand, was based on divinely revealed texts interpreted by the Consensus. It was interpreted and applied by the 'ulama. No caliph, no sultan, no assembly could change a word of it.

Muslim dynasties established their own secular law (*qanun*; Ottoman: *kanun*). This was supposed to supplement the Shari'a, for example, on tax-collection and crimes (its penalties were usually harsher). *Qanun* was used, alongside customary law, in the *mazalim* (redress of grievances) court, which derived from Sasanian practice; nevertheless al-Mawardi saw the redress of grievances procedure as an integral part of a Muslim polity (Black 2001: 89). Under the Ottomans, *kanun* became more extensive; it regulated land-ownership (Inalcik 1973: 72–3). Ottoman *kanun* was part of an attempt to apply Iranian patrimonial principles to the economy, to protect the common people in accordance with the ethics of Islam; in other words, to control relations between landowners and cultivators from the top.[16] *Qanun* was issued by the sultan, it lapsed when he died, and had to be reissued by his successor. A sultan could, like a Byzantine emperor, change *qanun* at will. The moral legitimacy of secular law in Europe was much greater than that of *qanun* in Muslim states. The sultan was under no obligation to obey *qanun*.

In both Europe and the Muslim world, local communities had their own customary laws. In Europe custom was held in some esteem because it had been tried and tested.[17] Customs, it was said by Ibn Taymiyya and by many in the West, may legitimately vary from one place to another because different laws suit different peoples.

In Europe there were separate jurisdictions and separate courts for canon and civil law. In Islamdom there was no question of rival jurisdictions.[18] In Europe there were almost continual controversies about the boundaries between secular and ecclesiastical law, and between the secular and ecclesiastical courts, controversies which sometimes went to the roots of political legitimacy, and eventually contributed to the idea of the state as a secular institution. But there was no theory of *qanun*, no discourse about the boundaries between Shari'a and *qanun*, nothing but tacit recognition that the Holy Law did not cover everything required for social and political order.

RELIGIOUS CONSTITUTIONALISM

Both early Christian and early Islamic views about their respective religious communities were poles apart from sacred monarchy and absolutism. The Christian clergy (or priesthood) and the Muslim 'ulama constituted separate power-bases, so that, in each society, there were two institutions claiming to represent the divine. In both Islamdom and Christendom authority in the religious community was related to correct knowledge of revealed truth. Christians and Muslims alike argued among themselves about the organization of their religious community. In Islam in particular this led to fierce conflicts.

The Christian church developed a distinctive type of organization and leadership. This had three components. In general, authority rested on the ability to preach the gospel with some claim to special knowledge. The apostles who had known Christ personally were, in retrospect, assigned a special role. According to the orthodox (catholic) view of church authority which emerged in the second century, Jesus had given authority to the twelve apostles to forgive sins and to make decisions concerning right and wrong which were binding 'in heaven' (Matt. 18: 18; John 20: 23). (Muslims said with less ado that a similar passage in Quran 4: 61–2 referred to the 'ulama.) Leaders of the church in each locality (*episkopoi*: bishops, lit. overseers) were regarded as the legal heirs of the original apostles, with the same authority to determine correct doctrine and practice ('apostolic succession'). Cyprian of Carthage said there was a spiritual identity

between each bishop and his local church ('the bishop is in the church and the church in the bishop'; Bettenson ed., 74). This was one beginning, however quaint, of the theory of representation.

A distinction developed between ordinary Christians and church leaders, among whom, moreover, there was a hierarchy consisting of priests, bishops (ruling dioceses), and patriarchs (ruling whole provinces). The term *episkopos* suggests that church leaders were not considered comparable to anything in the Roman state. Nevertheless, Catholic Christians insisted that the church was a public and visible organization with recognized leaders, usually elected.

Secondly, a role was assigned to each congregation as a whole. This was expressed in Jesus's saying that a sinful brother should be reported to the general assembly of Christians.[19] Similarly, the election of a bishop required the presence and consent of 'clergy and laity (*laos/plebs*: the people)'. In seeking to elect a new bishop after a schism within the diocese of Rome in 251 CE, the clergy stated that 'no decision can stand firm which will not be seen to have had the consent of very many' (Cyprian, *Letters*, 30. 5, p. 553). Cyprian subsequently congratulated them (using Roman political language) on the election of a new bishop 'by the testimony of almost all the clergy, by the vote (*suffragio*) of the people who were then present, and by the corporation (*collegio*) of elderly bishops and good men' (*Letters*, 55. 8, p. 629). Clergy and people sometimes had the power to depose a bishop (Campenhausen, 1969, 273 n.; J. Stevenson ed., 249).

Thirdly and relatedly, Christians in general believed in the guidance of the church by the Holy Spirit, that is, by god acting invisibly in their minds; and this was especially to be expected when they met in assembly (Matt. 18: 20; Campenhausen 1969: 58). At the Council of Jerusalem in *c.*50 CE the decision was said to have been taken 'by the Holy Spirit and by us (the apostles and elders)' (Acts 15: 28) with the participation of the assembled *ekklesia*.[20] In practice this might encourage an open mind, free discussion, a willingness to listen to others. Many early Christians (notably the Montanists) preferred the inspiration of the Spirit speaking through prophet-like individuals to the authority of bishops.

The way Christians organized their communities combined republican with monarchical elements. Ambrose of Milan, whom we encountered as one of the architects of church supremacy in the West (above, p. 17), expressed republican ideas in an essay on birds. For example, whereas

among men you won't find anyone willing to give up 'empire and leadership (*imperium et ducatus*)', birds (he says) take it in turns to be leader.[21]

The Catholic church was developing something like a formal constitution. Disputes were negotiated in councils of local bishops; bishops of each province met twice a year. If disputes remained unresolved, they were taken to a regional council. In North Africa there were annual councils for the region, representatives to which had to have full powers,[22] like parliaments in medieval Europe.

The final resort was a universal (ecumenical) council. The supposed solidarity between bishop and flock, and between all bishops throughout the world, meant that it was theoretically possible to get general consensus by this means. There was some tension, anticipating later constitutional conflicts in Europe, between general councils and the bishops of Rome (popes) who claimed unique overall authority as the successors of Peter (Matt. 18: 18). In opposition to a pope, Cyprian insisted on the constitutional equality of all bishops and on freedom of speech: 'we should each put forward our own opinion . . . For no-one has set himself up as "bishop of bishops" or forced his colleagues to obey by tyrannical terror, since every bishop has his own judgment in virtue of his liberty and power, so that he can no more be judged by another than he can judge others.'[23] Cyprian here seems to assign religious authority to an elected collective elite; his view of the episcopate may be compared to Cicero's view of the senate. This kind of collective decision-making was a feature of Christian communities in both the western—(Roman) Catholic—and eastern—Orthodox—churches, and among the Protestant churches.

Early Christianity had constructed a world community; and it had done so, broadly speaking, from the bottom up. The nearest parallel is Buddhism. They were similar in ethical teaching, and both formed new communities outside the existing social system; neither was immediately engaged with states.

Early Muslim organization, apart from the caliphate (above, p. 14), was also diffuse, but it remained that way. Whereas in the Christian church teaching authority gravitated upwards, first to bishops and eventually, in the West, to the pope, in the Muslim 'umma it gravitated, if anything, downwards, from the caliph (to whatever extent he had it in the first place) to the meritocracy of the 'ulama—those possessing the knowledge required to understand and apply the textual revelation. The 'ulama were

themselves a diffuse body, their position dependent on their (verifiable) knowledge of the sources of religion (the Quran and hadith) and acknowledgement by peers. In Sunni Islam the 'ulama established themselves as the Prophet's successors, and no hierarchy developed.[24] Authoritative interpretation of the sources of religious knowledge was supposed to lie not in individuals but in the scholarly consensus (*ijma'*) of the 'ulama at large. The 'ulama were less separate from ordinary believers than were medieval European clergy, and their power was more diffuse and implicit than the clergy's, but it proved more enduring.

A similarly informal organization is found among some Evangelical groups in the United States and elsewhere. Among some of these the spontaneous emergence of charismatic leaders parallels the pattern of modern Muslim revival groups; despite the fact that, in both cases, authority is supposed to lie in a text composed by god.

In modern times, a hierarchy developed among the Shi'ite 'ulama (*mollas*): 'well-qualified jurists' (sing. *mujtahid*) were said to stand in for the Hidden Imam. This crystallized into the doctrine of their collective vicariate or trusteeship of the Hidden Imam (Black 2001: 285–7).

For all Muslims, it was absolutely crucial that one knew who the caliph was, and that the incumbent one recognized was the rightful one. The question of who is qualified to be a caliph, and how a caliph is appointed, was what divided early Islam, producing numerous quarrelling sects, and eventually separating Sunni from Shi'a.

The majority (and later Sunni) view of how the caliph should be chosen was that he should be elected from Muhammad's tribe by senior elements in the community of believers ('those who bind and loose'). This was usually understood to mean community leaders, especially 'ulama, but in practice it often meant generals or viziers. By the eleventh century Sunni jurists were employing the fiction that a caliph could be 'elected' by one individual—the reigning sultan—provided there were several witnesses (Crone 2004: 227–8). The Shi'a, by contrast, believed that Muhammad had chosen his successor from within his own family, and that each subsequent caliph could only be the one similarly 'designated' by his predecessor from within his family. Other sects assigned the caliphate in different ways. The Khariji (Seceders) held that anyone could be elected, regardless of birth, provided he was outstandingly virtuous and knowledgeable about Islam.

The Byzantine emperor was in theory appointed by god through an election by the senate, army, and people (Anastos 2001: 30–1, 182). Derivation of power from god did not rule out its derivation via the people. In early Europe kings as a rule succeeded by birth, and were formally recognized by their subjects at their coronation. In practice, in all three cultures, 'ruling families tended to establish themselves as dynasties' (Angelov 2007: 116).

Under Muslim religious law, a ruler was supposed to engage in consultation (*shura*) with others (Quran 3: 150).[25] Advice to Kings texts regularly pronounced on the qualifications for royal counsellors. A twelfth-century work written in Syria exhorted the king 'to treat the 'ulama in the same manner as the Franks treat their priests': Christian rulers, he said, 'do whatever the monks command' (*SPV* 215). European rulers were also supposed to seek counsel from the 'wise', especially their chief vassals (*CMPT* 227, 501–4, 545–54). But this was not part of Christian doctrine.

HOW TO DEAL WITH A BAD RULER

What human person or persons could ensure that the moral limits on monarchical power were enforced? Who can exercise power over a 'bad' monarch? In Byzantium there seems to have been no theoretical discussion of this question. In Islamdom an unjust act by the caliph or his failure to observe the agreed standards were punishable, like many sins, by instant death (Crone 2004: 66). In early Islam, and according to some later sects, this sentence could be carried out by any Muslim; two of the first four 'rightly guided' caliphs were assassinated. But the experience of assassinations, rebellions, and civil wars gave rise to a doctrine of non-resistance (above, p. 33). One should, according to most Sunnis and the Twelver Shi'a, be prepared to tolerate all kinds of misrule, provided the ruler made provision for the practice of Islam, or did not cancel it (Crone 2004: 154). Even Ibn Taymiyya, several times imprisoned for speaking out, upheld the principle, favoured by the Hanbali school, that public authorities must be obeyed so long as their commands do not contravene the Shari'a (Black 2001: 157). Al-Ghazali made the decision about what to do depend upon a calculation of political prudence: 'an evil-doing and barbarous sultan, so long as he is supported by military force (*shawka*), so that he can

only with difficulty be deposed, and the attempt to depose him would create unendurable civil strife, must of necessity be left in possession, and obedience must be rendered to him' (cited in Black 2001: 104).

Among very few who did argue that the community (*al-'umma*) should depose an unjust caliph was al-Jahiz (d. 868/9). What kind of action should be taken depended, again, on the circumstances; as Aquinas also later said (in D'Entrèves, 159). Al-Juwayni (eleventh century) thought a seriously negligent caliph, or one who was not capable of getting himself obeyed, would have to be deposed; or one could declare him deposed, like a madman. But procedures for a caliph's deposition were never specified (Crone 2004: 229–35). Similarly, some popes claimed the right to depose, or declare deposed, an irreligious, immoral, or merely inadequate ruler (below, pp. 134–6). The idea that other rulers could be deposed by the caliph was wishful thinking.

The specifications given by Muslim jurists about what disqualifies someone from the caliphate (Crone 2004: 229), and would give grounds for their deposition, were similar to those worked out by European canon lawyers for an erring pope. On the other hand, when some European churchmen and canon lawyers said that a heretical pope should be deposed, or declared desposed, or self-deposed, they tried to specify legal procedures for doing so.

Finally, every Muslim was obliged to undertake 'commanding the good and forbidding the wrong'. This was taken to mean that religious persons were entitled, indeed obliged, to speak out (Crone 2004: 300–3; Cook 2000). Caliphs were often criticized by religious leaders for failing to promote Islam or tolerating heresy, philosophy, or liqor. Again there were no formal procedures. There was a widespread perception that 'drawing attention to other people's failings was bad for social solidarity' (Crone 2004: 317). One should keep up appearances. *Taqiyya* (keeping quiet about what one really thinks) was recommended.[26]

In Europe kingship was seen as an office (*officium*: above, p. 60) and service (*ministerium*): it was defined by law and designed for the public good. The law, not the person, makes a king; he may be an ordinary individual, but he holds a sublime office.[27] This was a crucial difference between the European system on the one hand, and the Byzantine and Muslim systems on the other. In Europe the king was supposed to play a specified role in a larger system; he did not personify nor stand above

the political system. The Roman idea of the ruler as *princeps* (first citizen) rather than *dominus* (lord) had survived longer in the western than in the eastern empire (Reydellet 1981: 595). The notion of kingship as an office, a function within a system, was derived in part from Roman law, which was now being given a Christian, in add to its earlier Stoic, twist, especially by the papacy. This was the beginning of the western idea of the state, founded on a distinction between the public and private spheres. The ruler, whatever his title, was a public servant. This could be taken to mean that an unlawful act could never have the support of royal authority. A good deal of this came via churchmen, who used the language and concepts of Roman law and Cicero to articulate their moral concerns about government. Caliphs too were said to be trustees, representatives, agents of authority, rather than proprietors (Black 2001: 157). But sultans derived from their Persian antecedents, as we have seen, many characteristics of absolute sovereignty.

The Muslim community, again represented by its senior figures, swore an oath of allegiance (*bay'a*) to a new caliph. But this became a formality. The caliph, on the other hand, (with few exceptions) made no promises to his subjects. In Europe, where land tenure and military service were based on a feudal oath of mutual protection, allegiance, and service between lord and vassal, the oath imposed *mutual* obligations on king and vassals (the feudal nobility) alike in their relations with each other (above, p. 66). Unlike the *bay'a*, this oath-contract was not part of a religious code; nevertheless it was a solemn public undertaking. This praxis appears to have come from Germanic, that is tribal, political culture, but the language in which it was expressed was Roman, and it was also made part of the religious ceremony of coronation. The coronation oath imposed rights and obligations on both parties. If a king could divest a vassal for a serious breach, a vassal—or a group of vassals—had no less a right to renounce their allegiance to an unjust monarch. (Hence the Aragonese promise to obey the king so long as he pleased them, 'and if not, not'; Kern 1968: 115). The feudal oath acquired greater political force than the *bay'a* because the feudal lords often had the power to assert their view of their contractual rights against a king. The *'iqta* generally speaking conferred less secure tenure than the European fief (Black 2001: 92). This was the beginning of the theory of a social contract with teeth. The relationship between rulers and subjects based on a mutual contract, and the legitimacy of resistance

to rulers who break their contract, derived from the feudal milieu (Van Caenegem, in *CMPT* 210).

This too put the relations between king and subject in Europe on a legal basis. This was one of the key differences between Europe and Islam. The Germanic right of resistance was informal, and feudal vassals often pursued their rights by force of arms. But a judicial process was both conceivable and, in certain cases, available. Even civil-law jurists, who in most respects maintained an absolutist view of monarchy, conceded that god had subjected the laws to the emperor but 'he did not subject contracts to him' (Canning, in *CMPT* 462; Black 1993*b*). European kingship was circumscribed by law.

In Islamdom sanctions against unjust rule remained informal and, in practice, unrealizable except by force (Crone 2004: 231–2). This absence of specific procedures was a distinguishing feature of Muslim politics. Nowadays fundamentalists say that details of a constitution can be worked out once the heart is freed from human subjection and subjected to the governance (*hakimiyya*) of god alone. Then everything will be all right. Sayyid Qutb (1906–66) holds that 'it is a matter of indifference . . . whether the Islamic state has a republican or other form of government' (in Moussalli 1992: 162–3).

One finds a similar contrast between the way communities of piety were organized in the two cultures. Monastic communities in Europe, for men and women, were governed by constitutions with sets of rules. (Here, indeed, for Christians too religious prescription was all-embracing, extending from daily routine to how to elect an abbot.) Sufi orders, by contrast, were run by a charismatic teacher (*shaykh*) to whom disciples owed unquestioning obedience. They combined informality with strict personal allegiance. Some said the sufi holy man is the true deputy of the Prophet.

It was mainly the religious authorities, and especially the papacy, who introduced precise constitutional procedures for dealing with an unjust ruler (Kern 1968: 105). This role of the religious authorities was peculiar to Europe. In 753 Pope Stephen II declared King Childeric of the Franks deposed and replaced him with Pepin (whose father had led the successful resistance to the Muslims in France). This was the beginning of a new dynasty. When the emperor Louis the Pious was deposed (833 CE), whereas the lay magnates 'simply deserted the Emperor without any legal forms',

the bishops, on the other hand, 'solemnly divested the Emperor of his office by a formal criminal procedure' (Kern 1968: 105). During the European revolution of 1073–1122 Pope Gregory VII asserted his authority to declare an emperor or king unfit to govern on religious and moral grounds, and to release his subjects from their oath of allegiance. These acts had significant results; it was only in the later Middle Ages that the power of the pope in this regard became as imaginary as that of the caliph. European canon lawyers also worked out procedures for deposing a pope.

It was in this context that the theory of the social contract was first sketched by Manegold of Lautenbach (*c.*1045–1103/19). If he who is chosen (*eligitur*) to coerce criminals himself becomes a criminal and a tyrant, 'he justly falls from the office given him', and the people are 'free from subjection to him . . . because it is clear that he first broke the agreement (*pactum*) by which he was set up'. The people are free to depose him and elect someone else (Carlyle 1962: iii. 164–7). This became part of European political culture. Contract became part of the process by which power was assigned in the religio-political system of Europe: the oath-sacrament of power (Prodi 1992).

Several of the distinguishing features of western political thought were introduced by churchmen. The relative independence of the Christian church from the state in the West, and the political role it was sometimes able to play, gave churchmen greater independence of mind than the eastern clergy or the 'ulama, and enabled them to play a more proactive role in politics. The non-existence or weakness of the empire in the West facilitated the rise of the papacy as an independent religious authority. Indeed, the differences in constitutional development in western and eastern Christendom may partly be explained by the relative independence of the church in the West.

John of Salisbury (*c.*1115–80), a supporter of the Gregorian programme, said a tyrant who tramples on law, justice, and the commonwealth may be killed by any person (Berman 1983: 282). According to the Dominican theologian Thomas Aquinas, one could legitimately seek to overthrow a tyrannical regime 'except perhaps if [this] were to be accompanied by such disorder that the community suffers more harm from the consequent disturbances than from the tyrant's rule' (D'Entreves, 161, adapted). Thus, like al-Jahiz and al-Ghazali, Aquinas made the legitimacy of revolution depend on a prudential judgement.

A king who refused to observe the laws could, in the last resort, be brought to trial. This was argued on the ground that (using the distinction between the person and office of the king) the actual king is judged by the theoretical king, represented for this purpose by a judicial court of his peers. Thus a royal misdemeanour can be corrected 'in the court of the king himself' ('Bracton', writing in England *c.*1220–40: in Kern 1968: 125). This meant that behind god and behind the law stood an actual human court superior to the reigning monarch: 'the king has a superior, namely god; also the law by which he is made king; also his court, namely the earls and barons' (cited Black 1992: 153).

Finally, John of Paris (another Dominican theologian) argued that, if the king commits a secular offence, he should be judged not by the clergy but by 'the peers of the realm'. And if he commits a religious offence (such as heresy), the pope can only encourage people to depose him: 'and thus the people would depose him, and the pope would do so incidentally (*per accidens*)': cited Watt 1988: 407–8). Here we see a connection between attempts to resolve the church–state issue and the rise of a theory of popular sovereignty. The American and French revolutions were rooted in medieval political thought.

The general Muslim view, on the other hand, was similar to that later adopted by Hobbes (1588–1679): one is permitted, indeed recommended, to recognize whatever leader succeeds in establishing himself in power (Crone 2004: 229; above, p. 27). The Muslim reasoning for this was purely prudential. The Twelver Shi'a reached the same conclusion by a different route: endure tyranny and injustice until god decides to restore the true Imam.

Such were the beginnings of European constitutionalism. The Shari'a too may have had the potential to become a constitution: it laid down norms regarding taxation, the judicial system, the regulation of markets, and so on. The chief difference was that its provisions were unenforceable.

THE PEOPLE

The derivation of power from god, as was noted in the case of Byzantium (above, p. 89), did not rule out its being derived via the people.[28] In Europe we find 'populist' versions of theocracy in, for example, Nicholas of Cusa

and Protestant groups like the Levellers. The Lutheran Reformation, like early Islam, in a sense democratized religion by ascribing authority to a text which was in principle accessible to all.

The balance of power and the political culture of Europe, which included a belief in property rights and liberty (below, pp. 149–50), seem to have made it necessary for kings to get the consent of major landowners and tradesmen in order to raise taxes or enact new laws. 'What touches all must be approved by all.'[29] This was achieved by summoning general assemblies, or parliaments, consisting of magnates, bishops, and the elected representatives of towns (and in England shires). Such a body was thought to make up, or represent, 'the community of the realm (*universitas regni*)'. The people at large were conceived as a body corporate which could act as one; although scattered far and wide, they were virtually present in parliament. The councils of the church provided a precedent.

It was through such assemblies, and indeed only through them, that the whole community of the realm could express itself, and be seen to declare its will. It could do this because the population was thought of as a single community, sometimes referred to as a 'mystical body (*corpus mysticum*)', a secularized religious concept. The people comprised a legal corporate body, which could be represented by parliament just as a city could be represented by officials on whom it bestowed its powers for purposes of negotiation and the like. Such a body could express (and, if it was very large, could only express) a united will through delegates (*CMPT* 554–72; Black 1992: 163–78). These were the lay and church magnates and the elected representatives of towns and shires. Once again there was a precedent in the church, whose ecumenical or regional councils were held to represent the universal, or national, church.

Parliamentarism brought together the principles of counsel, consent, contract, and the supremacy of the law.[30] There was thus a simultaneous development of the rule of law, the contract of government, and the ultimate supremacy of the people. It was a cluster of factors, each of which was perhaps necessary to the end-result. (By the 'law of preferential attachment', things that are good at clustering have an advantage.)

In the Muslim and Byzantine worlds, by contrast, rulers were entitled to raise taxes and issue secular law on their own initiative. The people as such had no distinct political role assigned to them in either Islam

or Byzantium. Islam had a notion of the people as a whole only in the sense of the community of believers. But no specific constitutional powers were ascribed to the ʾumma. The ʿulama were the heirs of Prophet, but there was no question of them providing an alternative model of actual government, except, much later, in Iran (below, pp. 142–3). Consensus was part of the process for formulating the Shariʿa, but this referred to an ancient consensus of jurists, not to an ongoing or popular consensus here and now (Crone 2004: 140).

In the dynastic sultanates, the people were not seen as a single body or an independent agency at all. Particular states did not have a corporate identity; they were a territory plus its inhabitants, controlled by a dynasty: that was all. The legal corporate body was in any case unknown (above, p. 61). There could, therefore, be no notion of representation. Hence the role of the people was never institutionalized; and it could, therefore, realize itself only by force. Parliament, the most lasting institutional innovation by Europe (as Madison observed), decisively differentiated the politics of Europe from the politics of both Islam and Byzantium.

In exactly the same period, from the twelfth to the fourteenth centuries, self-regulating cities were springing up all over Europe, and city-states in Italy, the Low Countries, and Germany. As in ancient Greece, and unlike in Mesopotamia, these were not sacred monarchies. Europe was the only civilization since antiquity in which there were republics, and republican theory.

This had roots in local culture, but was largely expressed in the language of ancient Rome. The new republics' method of organization was based on the traditional function of householders as jurymen (Reynolds 1984: 58). They were different from Rome and the ancient Greek city-states in all kinds of ways. Yet the memory of the Roman Republic and the writings of Cicero, imbibed by every schoolboy, gave legitimacy to government by self-styled consuls, senate, and people (Bolgar 1958: 137).

In cities the political community was, once again, based upon the oath, in this case an oath of mutual aid and protection sworn by all citizens to each other (above, p. 67). This gave rise to a new type of political community; it was distinct from the tribe, without being a monarchy. Whereas tribes (as Ibn Khaldun pointed out) united only under a monarch, some medieval communes united by federation resting on sworn corporate agreements.

The constitutions of city-states varied from oligarchy to various quasi-democratic forms, and there were some dictatorships. They claimed to be based on the rule of law and the equality of citizens before the law. Here too the assembly of the people, in person or through representatives, played a key role. 'The town assembly, open to all . . . was the fundamental institution of urban government' (Reynolds 1984: 188). The consuls of Pisa claimed (1154) that their authority derived from the whole people (*cunctus populus*) gathered in the assembly. Decisions were said to be taken 'by the common will of all' (Black 1984: 53; Reynolds 1984: 188). This was the second institutional basis of western political theory.

In Muslim lands, as we have seen, cities were not self-regulating units, and there were no city-states. Rather, the households of notables—'ulama, landowners, merchants, whose status rested on acquired and inherited qualities—were the cells of political society (Chamberlain 1994). This pathway to republicanism simply did not exist. Cicero and the Roman Republic were unknown in the world of Islam.

The role which parliament and city gave to 'the people' in politics marks a clear divergence between Europe and the Muslim and Byzantine worlds. Europe was developing a variety of constitutional forms unknown elsewhere. In the fifteenth century we find a blatantly democratic argument used in favour of the superiority of a general church council over the pope (Black 1979: 162–4).

Both constitutionalism and republicanism, however, continued to be contested. Monarchy revived in Europe during the fifteenth and sixteenth centuries, and both parliaments and city-republics went into decline. In 1700 Europe was still predominantly monarchical. Constitutional monarchy was established by revolution, first in the Netherlands, then in England. In England, the post-1689 parliamentary system achieved something else: the transformation of religious conflict, sometimes bloody, into competition for power between political parties. Parties, as they evolved in the English parliament and countryside, achieved (but only just) a non-violent method of representing the opposing, and sometimes passionately held, religious beliefs of Anglicans and Dissenters (Trevelyan 1934: 206, 321). One might consider the role of Tories and Whigs when attempting political reconciliation between Sunni and Shi'a.

In the American Revolution of 1776 and the French Revolution of 1789, the republic was proclaimed as the sole decent way of governing. The

French Revolution was the ultimate revival of Roman republicanism. It was also the first predominantly secular political mutation.

It was by such means that the ideas of popular participation and sovereignty developed in Europe. Christian views about government proved, in the West, more adaptable than Muslim views, partly because early Christianity was so unspecific. These factors lay behind differences in political consciousness and, in the longer term, political theory.

NOTES

1. Oakley 2006; Genet, in Friedeburg ed., 2004: 84.
2. EB 478; ed. Stevenson 392.
3. EB 350–3, 378, 479. The Christian author of the 'Ambrosiaster' said that 'the king is adored on earth as deputy of god': 91.8 in *CSEL* 50: 157.
4. Pope Leo I (r. 440–61), *Sermo* 3: *PL* 54, 146 (based on *Matt.* 16: 18); Ullmann 1955. The papacy kept the judicial branch in Rome.
5. Reydellet 1981: 136 (sixth century France); BT 30 (English coronation in 973); Tellenbach 1993: 39.
6. Tellenbach 1993: 39–42; Reydellet 1981: 463; Carlyle 1962: i. 114, 127, 163.
7. For continuities and differences after the coming of Islam, see Al-Azmeh 1997.
8. A common saying: ibid. 103. One finds the same thought in the Spanish philosopher Ibn Rushd, the Indian pragmatist al-Barani, and the Ottoman reformer Na'ima: Black 2001: 122–3, 161, 267.
9. In Egypt today 'the President chooses the ministers, the prosecutors, the head of the supreme court, the head of the court of appeal, the head of the police, the head of the army. He has complete and absolute power, even legislation proposed by the People's Assembly has to go through him': Tariq Khater, director of the Egyptian Association for Human Rights and Legal Aid as reported in the *Observer*, 11 Mar. 2007.
10. For example, the grand vizier Nizam al-Mulk (*c*.1018–92): 'On the day of the resurrection, when anyone is brought forward who wielded power over God's creatures, his hands will be bound; if he has been just, his justice will loose his hands and send him to paradise; but if he has been unjust, his injustice will cast him into hell': *Rules*, 11–12.
11. Al-Ghazali, cited Othman: 1960: 205.
12. Another word for justice in a general sense was *'adl*: Lewis 1988: 143n.

13. Al-Barani changed the saying 'religion and the world are twins' to 'religion and justice are twins': Black 2001: 95. In medieval Europe, as Maitland put it, 'law is the point where life and logic meet'.
14. Isidore described secular law as 'the messenger of justice' and 'the soul of the whole body of the people': *CMPT* 144.
15. An eleventh-century Turkish writer implied that a ruler is obliged to observe folk law: Black 2001: 113.
16. At Erzurum (1540) it was said that 'the tribal communities, as well as merchants and other communities could not bear the heavy load resulting from [the laws of the previous ruler] ... They wanted the Rum [Ottoman] law to be put into force' (preamble from Erzurum (1540), in Inalcik 1969: 128). In contrast with the Christian European feudal laws which preceded it, secular Ottoman law forbade forced labour; it also introduced a simpler system of taxation (Inalcik 1973: 72–4). A Hungarian document of the mid-sixteenth century referred to 'evil innovations' such as forced labour and new taxes, which must be corrected: Inalcik 1969: 133–4.
17. On the role of custom, compare Ibn Taymiyya (1263–1328) (Laoust 1939: 248–9, 303) with Bartolus of Sassoferrato (1314–57) (Black 1992: 127–9).
18. Under the Ottomans, both Shari'a and *kanun* were applied in the (religious) court of the *kadi*. Ottoman *kadis* were told to investigate cases 'according to the shari'a and the *kanun*': Heyd 1973: 216.
19. Matt. 18: 15–17; Campenhausen 1969: 128, 147, 216.
20. Or 'the whole crowd (*pan plethos*)': Acts 15: 12, 22, 30; Clement of Rome, in Bettenson ed., 35.
21. St Ambrose, *Exameron*, in *CSEL*, vol. 32, ed. Schenkl, 5. 15. 50–3 and 66–72.
22. *Concilia Africae A. 345-A. 525*, ed. C. Munier in *Corpus Christianorum, series latina*, vol. 149 (1) (Turnholt: Brepols, 1974), 34, 139–40.
23. *Letters*, in *PL*, vol. 3, p. 1091.
24. 'The Prophet's guidance was dispersed in the community when he died': Crone 2004: 134; Al-Azmeh 1997: 103. Under the Ottoman system, which has now passed away, the 'ulama were organized in a hierarchy headed by the shaykh-al-islam. But he was appointed, and could be dismissed, by the sultan.
25. Both Ibn Taymiyya and Ibn Jama'a saw this as an obligation in religious law: Black 2001: 92, 157; Al-Azmeh 1997: 103.
26. Keddie (1963). According to Fakhr al-Din Razi (1149–1209), it was 'unlawful to speak evil of a tyrannical king ... The good which came from his existence was greater than the evil': Black 2001: 126.
27. '*regem iura faciunt, non persona, quia nec constat sui mediocritate sed sublimitatis honore* (the king is made by the laws, not by his person, for it does

not depend on his mediocrity but on the sublimity of the office)', Eighth Council of Toledo, Spain (653): Wallace-Hadrill 1971: 55; based on *Codex* 1. 14. 1; repeated by 'Bracton': Black 1972: 153.

28. See Prodi 1992: 214; *pace* Ullmann 1961.
29. Stated in a Spanish provincial council as early as 666: Wallace-Hadrill 1971: 55; see also Carlyle 1962: i. 238; Post 1964; Black 1992: 166.
30. Reynolds 1984: 270–1, 308–9; *CMPT* 517, 554–72; Black 1992: 156, 163–78.

5

Practical Politics

Up till now, most of the comparisons we have been observing between western and Islamic thought may seem to be somewhat to the advantage of the former, at least from the perspective of a conventional westerner. When we turn to the way they dealt with the relationship between theory and practice, power and justice, this is probably not the case.

The relation between theory and practice, between the moral and the possible, is an issue seldom below the surface in the Muslim genre of Advice to Kings (sing. *nahisat al-muluk*) (Crone 2004: 148–64; Fouchecour 1986). These are usually compared, by Islamic specialists, to the European Mirrors for Princes (sing. *speculum principis*). European Mirrors for Princes were designed to educate the prince to rule well, in the sense of ruling in accordance with the code of morality taught by Christianity and Stoicism (Berges 1938). It was assumed that rulers could, and therefore should, observe the moral constraints imposed by Stoic humanism and Christian gentleness when they conducted their business of governing, as in everything else. These texts made little allowance for the real world of rough-and-tumble politics. (Presumably European monarchs learned about this at court and on the job.) Except for war and tyrannicide, it was strongly insisted that natural law must be observed in politics and government as in any other walk of life. The Advices, on the other hand, as well as expounding moral ideas and goals, also took account of *Realpolitik*, the need to tailor one's actions to particular situations. They did not distinguish pragmatism from morality. Irano-Islamic royal courts, from the Ghaznavids to the Ottomans, did indeed practice a specific art of politics.[1]

There is a reason why there was no real equivalent in Europe to the Advice genre, and it lies in the constitution of the monarchical state. In the Muslim world there were, as we have seen, no representative

assemblies; no specific procedure was envisaged for dealing with a bad king (above, pp. 89–90). The hereditary rights of the nobility were less clearly defined, and there were no self-governing towns. The whole conduct of public affairs, therefore, and so the entire welfare of the population, depended to a far greater degree on the conduct and personality of the ruler. As Michael Oakeshott sapiently observed,[2] the alternative to a civil association is household management. And this is what monarchy was in the Muslim world, to a far greater extent than in Europe. The *Advices* were the handbooks of this art. They were handbooks of political management.

They began to be written much earlier than their nearest European equivalent, and they went on being written as late as the nineteenth century. The most comprehensive and influential Advice book was Nizam al-Mulk's *Rules for Kings*, probably written about 1090;[3] this was widely read by administrators and court elites. Many of the staple themes and the general tone were already present in the *Sirr al-asrar* (*Secret of Secrets*), an amalgam of Greek and Iranian provenance put together in the early ninth century (Crone 2004: 151). This was translated several times into Latin (as *Secretum Secretorum*) and European vernacular languages from the twelfth century onwards (Williams 2003).[4] It was hugely popular in Europe, but interest there focused on its general moral wisdom and magical elements. Surprisingly, it seems to have had virtually no influence on western political thought; whereas in the Muslim world it was one of the main channels of Iranian influence on political thought, its mantras being repeated by one Advice author after another.

The genre of Advice for Kings was more diverse than the European Mirrors, and there were more of them. They dealt with topics such as astrology and friendship, polite culture (*adab*) and social etiquette; there were tips, sometimes homely, sometimes pretentious, for everyone about how to get through life, especially constant reminders that fortune is fickle and life short. From the later Middle Ages onwards they became largely imitative. Many were written by government secretaries, usually addressing a particular monarch.

They were loosely strung together, not as a rule systematic in either composition or argument. They were narrative in approach (see below, pp. 113–14), making their points with vivid examples from both Iranian and Islamic history. They quoted copiously from the Quran and hadith,

alongside Persian folklore and the sayings and achievements of great kings of the Sasanian dynasty. Advices contained Islamic, Iranian, and Greco-philosophical material. They thus contained a mixture of Muslim and ancient Iranian thought; and so were (in western language) partly religious and partly secular (of course their authors and audiences did not make this distinction). They were the main channel by which political ideas of any kind were brought to the attention of rulers.

MANAGERIAL POLITICS

Writers in this genre taught social skills, personnel management, the art of conversation, and how to deal with different classes of people. Their works were manuals of management and social psychology. They accepted society as it was, no questions asked. This is already clear in Ibn Qutaiba (above, p. 73): 'manage the best of the people by love, the common people by a mixture of love and fear, the low people by fear' (cited Black 2001: 55).

The Advices treated decision-making as a special skill which people could acquire by exhortation and example. And in fact they were a useful means of passing on the political traditions and experience of one dynasty to another in times of relatively rapid turnover ('words of counsel are a legacy from the dead to the living'; Hajib, *Wisdom*, p. 48).

Advice to Kings texts took an exalted view of monarchy as an institution, and they tended to glorify the ruler. They were lavish in praise of monarchs past and present. Some, like *Rules for Kings*, also dealt with the other institutions which made up an Islamic state: (religious) judges, the taxation derived from 'charity' (*zakat*), and the redress of grievances court (*mazalim*), which was derived from Persian practice. Many of their recommendations were quasi-constitutional in nature: a good sultan is one who appoints upright and knowledgable counsellors, supports and funds the 'ulama and (religious) colleges, subsidizes hospitals and inns (caravanserais), holds daily audiences, and attends Redress of Grievances courts regularly and in all parts of his country.

Their prevailing spirit was prudential and utilitarian. For Muslims, the kind of ethics god gave humans *was* prudential: it was about securing long-term success in the sense of a favourable outcome for yourself in this world

and the next. Act in such a way as to ensure happiness, both in this world and the next world; and look what happens to people who behave *this* way.[5] This approach was in accordance with the whole coming-together of religion and governance in Islamic thought (above, pp. 13–15). Morality, especially as taught in the Advices, was thus about 'rational self-interest' in the long term. Thus Advices focused on how to make the state and its dynasty flourish, how to keep power and to manage a just and efficient administration. And they also reminded the monarch about the afterlife, often in stark terms.

MIGHT AND RIGHT

The 'Circle of Power' idea expressed a unique view of the relationship between justice and power. This first appears in the *Secret of Secrets*, which contained Iranian as well as Greek ideas; then in the Persianizing Ibn Qutaiba (Black 2001: 54); and in an early Muslim historian who reports it as coming from a Sasanian official (*CHI* iii/1: 398). The basic idea was that power depends upon law, which derives from the king, who is supported by the army, which is maintained by money, which comes from the people, who 'are rendered happy by justice', so that 'justice secures the prosperity of the world' (*Secret of Secrets,* p. 227). Or, as the Sasanian official put it:

> the kingdom will not prosper except by observance of the law and obedience to god almighty; and the law will not have vigour except through the king; and the king will not prosper except through men, and men will not prosper except through wealth, and there is no road to wealth except by the cultivation of the land, and there is no way to prosperity of the land except through the administration of justice; and justice is the criterion that god has established among people and placed in the care of kings. (*CHI* iii/1: 398, 403)

These sentiments were repeated in varying forms by one author after another (Black 2001: 111–12, 126, 179; Al-Azmeh 1997: 129).

The Circle of Power expressed a specifically Iranian view of government as part of a web of social relations, one element in society as a whole. The exercise of justice is, clearly, seen as necessary for a prosperous economy,

which in turn determines the ability of a ruler to rule. This is closer to modern political economy than any views expressed in Byzantium or the West at this time. It suggests a greater awareness of the realities of agrarian monarchy than one finds in the West prior to the Enlightenment.

Muslim writers emphasized the importance of agriculture (Black 2001: 54). They recommended the ruler, on both prudential and religious grounds, to treat the poor, and farmers in particular, fairly. This was urged as a basic duty of rulers in line with justice. It was a Middle Eastern or Muslim perception, but not apparently a Christian one, that this was also in a ruler's own best interests, since only if they are fairly treated will farmers produce enough to pay for an army, and so keep the dynasty in power (as the Circle of Power said). This was another way in which the moral (what one should do anyway) and the prudential (what pays off) were combined.

It was a given of the Islamic faith that sufficient force has to be used, and the necessary methods employed, to ensure the spread of Islam, to protect the Muslim people, and to achieve the global rule of the rightful caliph. Non-violence was not particularly meritorious, as it was for Christians. Muslim writers' approach to coercion and violence was in general pragmatic, prudential, managerial, incorporating what at first strikes one as 'Machiavellian' ideas, which in Europe were supposed to be beyond the pale.

In the Irano-Islamic ethics of rulership it is necessary, and meritorious, to combine kindness with sternness. According to the thirteenth-century jurist Ibn Taymiyya, 'a gentle ruler should have a violent collaborator . . . one cannot lead and rule men without generosity, which consists in giving, and force of mind, which is a form of courage. No life, spiritual or material, is possible without these two virtues. Whoever loses them soon loses power.' Severity in the ruler was a religious virtue. Ibn Taymiyya even produced a hadith which said, 'god will strengthen this religion with the help of men without morality' (Black 2001: 155–6).

The authors of Advice to Kings texts were particularly remarkable in the way they combined moral injunctions with *Realpolitik*, the need to take account of the way others behave, and the likely reactions of subjects or opponents. This was an area to which European political writers paid less attention. In the Muslim world generally speaking, there were fewer perceived constraints—and no effective legal constraints—on what a ruler

might do to achieve ends that were considered pious and just. Advices were explicit about the need to set aside moral constraints on certain occasions.

The only exception to this was the Indian author-statesman al-Barani (*c*.1285–*c*.1357). He did not endorse the view that religion supports the methods necessary for effective governance, but rather saw a clear contradiction, much as Machiavelli did when discussing the political implications of Christianity, between the prescriptions of religion and the policies required for successful government. A king, said al-Barani, can only govern successfully if he follows 'the policies of Khusrau Parvez and the great emperors of Iran'. But 'between the traditions of the Prophet Muhammad... and the customs of the Iranian emperors... there is a complete contradiction'. No king, he went on, has ruled successfully 'while living according to the Prophet's traditions of poverty'. Rather, 'prophethood (the perfection of religion) and kingship (the perfection of worldly good fortune)... are opposed and contradictory to each other, and their combination is not within the bounds of possibility' (Black 2001: 161–2).

The concept of *siyasa* (discipline, governance) was occasionally used to indicate an area in which a ruler can justifiably act without regard for religious norms in a particular case, on grounds of public interest: *raison d'état*. The implication here was that there was nothing un-Islamic in recommending unscrupulous methods of government, so long as the ruler was supporting religion and the Shari'a. But many thinkers, such as Ibn Taymiyya, insisted, rather, on *siyasa shari'yya*: forceful governance in the interests of, and in accordance with, the (religious) law.

One example of *siyasa* in the sense of *Realpolitik* was the use of exemplary punishment, including collective punishment, as 'a deterrent example and warning to others' to deter criminality. A senior Ottoman religious teacher justified such action on the ground that 'a warning example was given to the trouble-makers, and terror spread among the criminals. It is in the nature of the common people, so long as they have no fear of the sword, to dare to... indulge in all kinds of wickedness' (cited Heyd 1973: 195, 312). Another example was the ruling by Mehmed II that, in order to ensure a stable succession, 'one of my sons to whom God grants the Sultanate, may lawfully put his brothers to death... for the sake of the order of the world' (cited Inalcik 1973: 59).

IBN KHALDUN, MACHIAVELLI, MARX

European political thought, we are told, benighted by Christian idealism, refused to countenance harsh measures and dirty tricks, until enlightened by Niccolò Machiavelli (1469–1530). Whatever the truth of this, the Muslim world was certainly different in this respect. They did not need a 'Machiavellian moment' (Pocock 1975). As the nineteenth-century Egyptian dictator Muhammad 'Ali said when he read Machiavelli, 'I know many more tricks than he knew' (cited Hourani 1983: 52).

Yet the Advices were not wholly 'Machiavellian'. There are parallels between Irano-Islamic courtly culture and Machiavellism, but their basic approach was different. Sultans might be permitted to use all kinds of deceit and violence, but this was not necessarily perceived as contrary to religion, a deviation from moral norms. Killing and trickery were legitimized in the Quran. Where *Advices* did differ from other Muslim writings was in seeing the stability of the state—which invariably meant the current dynasty (*daula*)—as itself a sufficient motive. But they also insisted that dynastic stability was essential for religion: 'religion and *daula* are twins', religion and government are interdependent (above, pp. 23–4). Mere political power was not the objective.

Ibn Khaldun (Tunis 1332–Cairo 1406) took the union of religion and politics a stage further.[6] He investigated the workings of power relationships without religious prejudice, seeing the surge and decline of tribes and their dynasties as the inexorable parameters within which the Muslim way of life has to be lived. This was how society functioned, whether it was Muslim or not. The wise statesman will, therefore, as Machiavelli was also to say, work within the limits of the world as he finds it, manipulating it so far as he can in the interests of stability and justice.

There are certain parallels between Ibn Khaldun and Machiavelli. The group feeling of the tribe (*'asabiyya*) may be seen as the collective equivalent of *virtù*.[7] Similarly, *hadara* (city-based civilization) embodies what Machiavelli and other European thinkers after him described as corruption (Pocock 1975). Both thinkers saw political change as cyclical rather than progressive.

Ibn Khaldun was the first person to apply logical criteria and a philosophical method to the interpretation of historical facts. His analysis led

to the first ever comprehensive theory of social development or change. People start off, in his view, in tribal societies, life 'in the wild (*badawa*)'. They are impelled towards a more complex city-based civilization by their leader's desire for power and kingship (*mulk*). Each of these two types of society has its own particular social ethos, set of values, social dynamic (much as Plato had said of different political constitutions). These are examined in considerable detail. *Badawa* is characterized by collective loyalty (*'asabiyya*), desert people being 'rude, proud, ambitious, and eager to be leaders'. In *hadara*, on the other hand, people lead a sophisticated life of luxury but lose their collective spirit, their capacity to act together, and their moral fibre. When people who have lived in the wild develop citied life (or, as usually happens, take over an already existing civilization), they become economically and technologically more developed, but as individuals they become physically and morally weaker. Eventually, they are ripe for takeover by another tribal society.

This anticipated by four centuries the theories of the Scottish Enlightenment and nineteenth-century Germany concerning social change, or as they would have it, evolution. Adam Smith and his predecessors had not read Ibn Khaldun, but they too observed the contrast between the 'barbarism' of the recently defunct Scottish clan system and the 'civilization' of the mercantile Lowlands, England, and much of Europe. Like Ibn Khaldun, they saw this as affecting morality as well as economic relationships. There were important differences between Ibn Khaldun's *hadara* and the Scottish thinkers' civilization, which embraced the rule of law, constitutional government, and the peaceful pursuit of long-term 'rational' economic goals; the latter being facilitated by the former. Of course, in their day this new type of *hadara* had definitely got the upper hand. Today the United States and others have chosen to do battle with groups and individuals close to *badawa*—Islamic fundamentalism with tribal roots—on their home terrain, where the outcome is far from certain.

According to Hegel (Taylor 1975), the first stage of human society is family life, in which the individual is submerged in the group. This gradually evolves into 'civil society',[8] in which individuals pursue their own interests with less regard for one another. Marx similarly mapped the development of primitive communism into class society, culminating in

industrial capitalism (McLellan 1995). Toennies distinguished between the community ethos (*Gemeinschaft*) of groups like the family, and the calculating ethos of societies to which people belong in order to promote their own interests (*Gesellschaft*).[9] Weber distinguished between the charismatic and traditional types of authority exercised in less advanced societies, and the legal and rational authority of a modern state.

In each of these theories, the former type of society is more tightly bound together by feelings of unity and comradeship; the latter is characterized by individuals' pursuing their separate agendas, based on rational economic self-interest. Hegel's family life and Marx's primitive communism each have a good deal in common with Ibn Khaldun's *badawa*: a primordial energy which eventually generates its own opposite. Toennies' *Gemeinschaft* is similarly characterized by social relationships which are closer and warmer. Hegel's civil society and Marx's capitalism are, again, characterized, like Ibn Khaldun's *hadara*, by economic development and moral instability. Hegel, in his *Philosophy of Right*,[10] tried to reunite what Stoicism and Christianity had separated: power and justice. Marx is even closer to Ibn Khaldun in combining factual analysis, overarching empirical theory, and an ideal order of political society.

But there the similarities end. Ibn Khaldun, like the ancients, Machiavelli, and other early modern Europeans, thought that history moves in cycles; overall, there is no upward progress. Hegel, by contrast, believed that society would eventually evolve beyond both family and civil society into what he called 'the state', a structured complexity in which freedom and order would finally be reconciled. Marx believed that economic productivity and community life would both be achieved in communism. The equivalent ideal condition for Ibn Khaldun is the Sunni caliphate with the religious, political, social, and economic order preached by Muslim jurisprudence. Ibn Khaldun wrote extensively about the political economy of sultanic monarchy. But the caliphate is not an end-state or the culmination of history, but rather an ideal order set in a remote past (as it was for other Sunni philosophers). It provides an ideal for present-day societies in the sense that they should try to live up to it so far as they can. And this 'so far as they can' depends, among other things, upon what kind of society there is, in terms of Ibn Khaldun's typology, here and now. Whereas Ibn Khaldun does not explicitly calculate what can be done to prevent the

disintegration of *hadara*, Machiavelli investigated how you could expand the life of a republic or principate beyond its 'natural' duration.

(It is worth noting that, in his later writings, this most original of Muslim philosophers argued, like Oakeshott,[11] that political practice cannot be based on political theory because philosophy can only grasp abstract concepts, whereas in real-life politics no two situations are ever alike.[12] Ibn Khaldun took this to indicate the limitations of philosophy (*falsafa*) in general. He thus turned his back not just on 'rationalism' but on rationality itself in politics.)

The Advice to Kings genre brought issues of power politics out into the open. Theirs was a different perspective from the Christian European one, and perhaps more realistic. The Islamic view of the unity between religion and polity may be one reason why, in Ibn Khaldun, sociology appeared in the Muslim world so long before it appeared in the (by then partly post-Christian) West. Ibn Khaldun was able to see religious values as a means to promoting social vigour and preventing imperial decline, whereas Machiavelli saw the Christian virtues as obstacles to effective political action. I suppose one advantage of having a philosophy which takes account of power is that it leaves less excuse for being ruthless, or having a bad conscience.

NOTES

1. Admired by Venetian ambassadors.
2. *On Human Conduct* (Oxford: Clarendon Press, 1975).
3. Black 2001: 91–5. His authorship has been disputed: Crone 2004: 152, n. 22.
4. I would like to thank Cary Nederman for drawing my attention to recent literature.
5. Compare (Pseudo-) Aquinas, *Rule of Princes* (composed for the Frankish ruler of Cyprus in the late thirteenth century): ed. D'Entreves, 37–41.
6. See Black 2001: 165–82, and for further literature ibid. 182, n. 1.
7. See E. Rosenthal 1958: 106–7. Compare also the 'high resolve' which al-Barani said a king must possess (Black 2001: 162).
8. Not quite in its present-day sense.
9. Ferdinand Toennies, *Community and Civil Society*, ed. J. Harris, tr. id. and M. Hollis (Cambridge: Cambridge University Press, 2001/1887).

10. G. W. F. Hegel, *Elements of the Philosophy of Right*, ed. Allen Wood, tr. H. Nisbet (Cambridge: Cambridge University Press, 1991).
11. Michael Oakeshott, *Rationalism in Politics and Other Essays* (London: Methuen, 1962).
12. 'It can happen that these matters contain no features which allow one to assimilate them to other instances (or: contain some element making it impossible to refer them to anything similar), and contradict the general principle which one wishes to apply to them (or: to which one would like them to conform)': cited Lacoste 1966: 254, 427.

6

Approaches to Political Thought

The Islamic, Byzantine, and European political cultures had more in common with each other than with any other ancient culture (and perhaps more than other ancient cultures had with each other). This was especially so in their earlier phases. They all shared Abrahamic monotheism, with its belief in a unique and final revelation by God to humankind in textual form as the guide for human conduct. They also shared neoplatonism.

THE EFFECTS OF RELIGIOUS DIFFERENCES

Yet religions are not just series of statements about how the world is, or about what one should and should not do. They can also be a prism through which one views everything; a different prism causes one to see everything differently. Moreover, they are, or become, one means—often the principal means—by which groups of persons relate to one another, so that what they profess is in many contexts less important than the common conviction with which they hold it, the enthusiasm which it generates for group survival, for group expansion and whatever collective projects they undertake.

Now, despite the extent of what looks like common ground in theology and ethics, the Christian and Islamic religions were fundamentally different in orientation. When we speak of Islam and Christianity as both 'monotheistic religions', we should not imply an identical or easily comparable space or set of categories, merely with different applications or resonances. The very sense of god itself, and of the community of believers, may be no less profoundly different in these two cases than in the belief systems of, say, the Incas and Romans. They had—as each, but especially the Islamic, insisted—different notions of god. Muslims rejected all analogies

between the human and the divine, seeing rather an utter otherness in the divine (they would never refer to god as 'father'). Christians, by contrast, not only compared the deity to a human person but believed that the deity had become a human person. This led to—or was anyway connected to—what Muhammad saw as the most fundamental error of the Christians, the belief that god was threefold. After the papal revolution (see Chapter 7) had set Europe on its distinctive path, both the humanity of the second person of the Trinity and the quasi-divine perfections of his human mother were greatly emphasized in art and literature.

And in fact the outcomes of the Abrahamic and Platonic legacies in the two cultures were different in almost every respect. There are some amazing similarities on points of detail, but the overall conceptual patterns were markedly different. This requires one to reassess the significance of the causal role assigned to both these traditions in shaping Europe on the one hand, and Islam on the other. It leads us to ask whether the role of Rome in the one case, and of Iran in the other, was not more important than has been appreciated. Iranian and Roman elements certainly go some way towards explaining the differences in political culture: the elevation of monarchy in Islam, and the continuity and revival of republicanism in Europe.

Alternatively, one should ask whether these traditions themselves, which the European and Muslim worlds inherited, were *not* after all the crucial factor, but rather the uses made of them by particular people in particular circumstances. In the case of western and eastern Christianity, it seems fairly clear that what differentiated them was not sources, texts, and traditions but attitudes towards these, and towards intellectual activity itself. This in turn may have had something to do with specific political situations in church and society.

NARRATIVE AND ABSTRACT

Differences in political theory relate to different views about knowledge, the most difficult differences of all to observe and understand. I suggest that one way of making sense of the differences between Islamic and European political thought is to distinguish between narrative and abstract approaches to knowledge.

Monotheism has been narrative in the Old Testament and the New Testament, abstract in Stoicism and neoplatonism. Revealed religion in general tends to take narrative form; but Judaic, Christian, and Islamic monotheism each to varying degrees borrowed the abstract mode, especially from neoplatonism. Both cultures drew upon the Jewish Bible (parts of which were pure historical narrative). Both believed that history would culminate in an unforseeable Last Judgement and Paradise for the good, or elect. It was characteristic of JHWH that he acted inexplicably; one just had to have faith that he controlled events, knew what he was doing, and would ensure a benign outcome (for you).

This theory was embedded for Latin Christianity in Augustine's *City of God*. The Christian gospels, in turn, were mainly narrative, but in St John and St Paul the New Testament moved into the abstract. In later European thought the idea of progress towards ever greater liberty and prosperity made a very attractive story. Again, Hegel and Marx combined the two in new way. Marx, a secular prophet, combined the language of the natural and social sciences with a strong narrative, which gave meaning to experienced reality, and showed people *who* they were and *where* they were going.

Islamic thinkers used narrative to tell the single continuous story of the sequence of prophets culminating in Muhammad, and also of the conflicts of early Islam. The complex Shi'a genealogies were another set of narratives (Crone 2004: 399–405). Islam used narrative in a new way by drawing on bedouin Arab folklore in the hadith. These were at first circulated by word of mouth (and so widely accessible), then written down, collected, and finally, interpreted by the 'ulama (experts). The early interpreters disputed how far one could argue 'by analogy' from one such particular ruling to others, in other words, how far one could generalize. The outcome of their disputes—the Shari'a—is constructed around particular prescriptions and prohibitions rather than general principles. (In this, it resembles English common law as opposed to Roman law.) It reflects a concrete, particularist, linguistic view of knowledge that became characteristic of Islamic monotheism: god said this not that, 'ask not how' (*bila kaifa*).

Ibn Khaldun introduced what could have become a new and powerful combination of the abstract with the narrative, by establishing a historical method which subjected the analysis of even sacred historical sources to

searing critique. He went on to develop a schema of historical change the like of which the West would not produce until Karl Marx (who was also perhaps operating in the prophetic tradition). Both Ibn Khaldun and Marx weave the narrative and the abstract together to create sociology. Western political philosophy, on the other hand, became a dialectial argument with narrative illustrations tacked on, such as we find in Marsilius of Padua (Ibn Khaldun's near contemporary), and later Hobbes, Locke, Rousseau, and so on up to Rawls.

There was a serious attempt to introduce the abstract and rationalist approach into Islam in the form of neoplatonism.[1] This episode in Islam (sometimes referred to as 'Renaissance') lasted from the eighth till approximately the mid-eleventh century. So far as political and social theory is concerned, it was confined to knowledge of the works of Plato, notably the *Republic* (which Europe did not have until the early fifteenth century) and the *Laws*; and of Aristotle, but crucially not of the *Politics* (which Byzantium had but did not use, and which came to Europe from Byzantium in the mid-thirteenth century). There was no knowledge of the Greek historians or tragedians, and really no awareness of what classical Greek culture had been. The Muslim comprehension of ancient Greece was filtered through the jaundiced eyes of Plato, as interpreted by the neoplatonists of the third to fifth centuries CE. The Muslim philosophers were entirely dependent on translations; none of them actually knew Greek (Fakhry 1983: p. xxii). They were few in number; Plato and Aristotle never achieved the kind of penetration they achieved in Europe from the twelfth century on. Muslims had no knowledge of the history or ideology of the ancient Roman republic or empire. Rome to them meant the Byzantine empire (*Rum*).

The renaissance of Iranian literature and political thought, on the other hand, was widespread and permanent. Iranian political culture and ideas penetrated the Islamic world through the Advice to Kings literature (above, Chapter 5). Unlike East Rome, Iran was completely conquered by the Arabs, but within a century-and-a-half its political and literary culture was being reabsorbed by the caliphate and its successor states, to produce an Irano-Islamic culture. Iran, with its great cities, became a major centre of Islamic learning, and the birthplace of many philosophers. It contributed central ideas to Muslim political thought, about class and monarchy for example, much as Rome did for western political thought.

THE INFLUENCES OF PLATO AND ARISTOTLE

Both Muslims and Europeans looked to Plato and Aristotle mainly for moral guidance, or support for their own moral opinions. Neither, until Ibn Khaldun in Islam and Bodin (1529/30–96) in Europe, was interested in the empirical or scientific analysis of political and social phenomena. And, even in this restricted area, they took different things out of Plato and Aristotle. Muslims looked to them as providing a model of the perfect polity which it must have been Muhammad's intention to introduce; and also for concepts and a language in which to express political norms and deviations from these. They had such a high regard for the synthesis of ideas which they thought they had found in Plato and Aristotle that they had no hesitation in identifying the philosophers' best state with the caliphate. Their main concerns were the constitution of such a state, notably the role of the 'lawgiver', whom they identified with the Prophet; of laws, which they identified with the Shari'a; the various possible relationships between these laws and rulers; education and how to bring public opinion as close as possible to philosophical and religious truth; and, finally, the different occupational groups and classes that go to make up human society (above, p. 74). They followed Plato in identifying the character and quality of a state with the character and quality of its ruler and its people.

European political thought was also influenced by neoplatonism, but much less so. It took the notion of a celestial hierarchy as a model for human societies, religious and secular (Ullmann 1961: 46–8; Black 1970: 57–62). But this was only one of several competing models for the polity.

The Muslim *falasifa* used Plato's *Republic*, books VII–VIII to describe how the perfect state, including the caliphate, declines, and the best way to organize such a second-best polity. Other forms of government, and states which did not aim at the good life, were of very little interest to them. Europeans, once they discovered Aristotle's *Politics* (*c*.1260), used his classification of city-state regimes in order to describe the variety of regimes which they saw around them in the European monarchies and city-states; and the respective merits of rule by one, rule by the best, and rule by the many; of subjecting the ruler to law and of leaving him 'absolute'. They used Aristotle's remarks on different forms of regime

when discussing the church's constitution. They did not have Plato's *Republic* until the fifteenth century.

ATTITUDES TO PHILOSOPHY AND REASON

The Muslim and Christian-European approaches to Greek philosophy were different. For Muslims 'knowledge' (*'ilm*) meant knowledge of the revelation given to Muhammad. This was contained in the Quran and the hadith, to which Sunni orthodoxy added the consensus (*ijma'*) of jurists on how to interpret the Quran and hadith. The method for dealing with gaps and contradictions in the textual revelation was, fourthly, human reasoning. This was called *ra'y* (sensible opinion) or *qiyas* (analogy) (Crone 2004: 219); for example, one could apply a text concerning situation A to similar situations B, C, and D. These four 'roots of jurisprudence' (*usul al-fiqh*) constituted the *Sunna* (tradition).

Only a seasoned jurist should venture to use his own independent reasoning powers (*ijtihad*); and there was much dispute as to how widely even such a person might do so. Al-Shafi'i (d. 820) restricted *ijtihad* as far as possible: *qiyas* 'is resorted to when there is no relevant text in the Qur'an, no (hadith) and no consensus . . . We hold concerning matters on which no binding explicit text exists that (the answers) should be sought by reasoning—through Analogy—because we are under an obligation to arrive at the right answers' (in Schacht 1953: 122, 292).

The Twelver Shi'ites allowed somewhat greater scope for human reasoning, though this was limited to a seriously seasoned jurist (*mujtahid*). *Mujtahids* can override the rulings of their predecessors. This gave the Shi'ite legal system a little more flexibility and dynamism, and it enabled new questions to be taken seriously. Some modern writers have seen it as a move towards rational debate and hence democratic discourse (Enayat 1982: 44, 169–75).

For Muslim thinkers in general, truth, reason, and intellect (*'aql*) were supreme religious values, the principal pathways to the divine. What they meant by this was that they were the principal means by which humans had access to divine truths, by reading and understanding the Quran and by using *qiyas*. Religious scholars regarded knowledge as the highest

human attainment, and intelligence as the supreme gift of God to humans, taking precedence over worship, prayer, legal observance, good works (and, needless to say, over power (sultan) and noble birth).[2] 'Reason is the link between God and man, the stamp of God's word, the token of His Prophet... [The Prophet] placed knowledge on an equal footing with prophecy' (al-Ghazali, *Revival*, book 1, pp. 10–13).

The jurists' findings were embodied in the huge collections of their lectures and writings, above all those jurists who, in the two centuries or so after Muhammad—and some two-and-a-half centuries after Justinian had promulgated the *Digest* and *Code* of Roman Law—established the four 'orthodox' schools of Sunni law (Schacht 1953). Muslim jurists from the eighth century onwards used Greek logic. So too European jurists from the twelfth century onwards applied Greek logic and dialectic systematically to both canon and civil law (Berman 1983: 139, 146, 150). The Muslim jurists took into consideration the time, place, and circumstances in which a statement had been made; so too did European canon lawyers from Gratian (whose *Decretum* was completed in 1140) onwards (Berman 1983: 142–5). Al-Shafi'i formulated the rule that the Prophet's later pronouncements override earlier ones, even when this meant a hadith modifying the Quran. So too Augustine (354–430) had stated that the decisions of later councils override those of earlier ones. But there was no question of influence in any of these cases (Berman 1983: 160).

Some Muslim philosophers wanted to expand the scope of reason and independent judgement further than the jurists. They saw philosophy (*falsafa*) as providing the principal measuring instrument (*mizan*)[3] by which revelation was to be understood and applied in political and social life, as good as or better than the method established, or in the process of being established, by the jurists. For them too philosophy was (to use a European expression) the handmaid of theology. But they rejected, by implication at least, the authority of the Consensus, and held that anything not laid down in the Quran and hadith (Ibn Sina excluded hadith) should be open to reinterpration. This enabled them to be much more adventurous in their political and social thinking. For them Islam meant the Quran alone, which revealed god, his relations with humans, and basic ethical principles, rather than a detailed blueprint for society and the state. Believers were therefore free to construct the kind of state or caliphate which would best embody basic Muslim principles, 'for different times and circumstances

call for decisions that cannot be pre-determined' (Ibn Sina). The Shari'a was necessary since (as Plato said) human society needs a law, but it could be revised. This would have increased the scope for legislation (and so possibly the authority of caliph or sultan). It would have led to a significantly different kind of Islam from the Sunnism we know today. It would have been perhaps the closest equivalent to a 'Protestant' view of Islam.

Muslims did not distinguish between faith and reason in the way that medieval European Christians did. Faith (*iman*: believing something because someone else says it) is vastly inferior to (religious) knowledge (*'ilm*: F. Rosenthal 1970: 97–8, 239). While this seems to reverse the Christian ranking, *'ilm* had this in common with Christians' 'faith', that it referred to what is 'known' through the Quran and hadith, correctly understood.

Al-Ghazali made a more profound point: all reasoning starts from some premiss which no one can prove. Philosophy is effective only as a way of deducing conclusions from premisses: it is unable to give us a starting-point.[4] For that we have to rely on intuition. 'God did not make any way for mankind to know him except by the impossibility of knowing him' (in Othman 1964: 53). The data of Islamic revelation are as plausible a starting-point as any. Al-Ghazali also said that one can sense the superiority of the Quranic message by one's inner 'taste'. For al-Ghazali reason seems to play the same kind of role it does for postmodern philosophers today. Similarly, Sayyid Qutb (d. 1966) (a postmodernist if ever there was one), whose ideas helped inspire 'fundamentalism', advocated 'direct, personal and intuitive understanding of revelation ... If man is left alone to his own conscience and soul with the help of religion, he will be able to acquire an adequate understanding of the universe' (in Black 2001: 322). For al-Ghazali too, knowledge was direct acquaintance with the divine message through spiritual experience: 'I turned to the way of the mystics (which) can be attained only by personal experience' (Othman 1960: 51).

What no Muslim philosopher did was to reopen the question of the existence of god or the validity of divine revelation in the way that some Christian thinkers, from Anselm (1033–1109) onwards, did. Philosophy for them was a body of supplementary understanding, handed down from Plato and Aristotle, by which to understand and better express what one already knew about god and humanity. (In the realm of the natural sciences, of course, it introduced a whole additional corpus of knowledge.)

This was not philosophy as enquiry but as transmission of an already acquired wisdom. It was, therefore, not at all what we mean by philosophy when speaking of ancient Greece (or China), or the modern West. Many medieval and Renaissance Europeans did 'philosophy' in the same way. The one Muslim thinker who grasped the nettle of enquiry, at least in politics, was Ibn Khaldun (an almost exact contemporary of the radical European, William of Ockham). Even he does not seem to have questioned the truth of revelation itself (if he did, it is very well concealed).

Consequently there was no conflict between faith and reason in the Muslim thought-world, as there was in the European. This, however, meant there was no space in which alternative interpretations of the natural world and human experience, such as we find in Europe from (at the latest) the seventeenth century, could germinate.

Some Muslim philosophers distinguished between philosophy and revelation in a different way. They claimed that philosophy could, by means of purely rational demonstration, attain knowledge of the very truths which Muhammad had taught, and that philosophy as a method of knowing these truths was superior to prophecy: Muhammad had used rhetoric and poetry because this was the only way in which most people could understand the divine truths. 'Religion is an imitation of philosophy... In everything of which philosophy gives an account based on intellectual perception or conception, religion gives an account based on imagination' (al-Farabi, *Happiness*, LM 77). Philosophy demonstrates what religion symbolizes. Plato and Aristotle had reached the same truths as Abrahamic monotheism by intellect alone. But this is too difficult for most people; they need revelation, prophecy, miracles. There are, therefore, two categories of believers: the intelligent few, who know god by reason, and the vast majority, who depend on preaching and rhetoric. This anticipated Hegel.

The Catholic theologians of Europe distinguished between theology and philosophy in a completely different way. For them faith is a superior form of knowing, is in fact the only way one can know the data of revelation, since these are beyond any human mind. Faith is part of the loving, trusting relationship between the human person and the deity, between the 'faithful (*fidelis*)'—in two senses—Christian and the teaching church. (This may have had something to do with the fact that Christian revelation included the Trinity and the Incarnation, which no one could

claim to know by reason alone.) This was closest to al-Ghazali's position. It gave European philosophy one advantage: one could, like Ockham, deny the possibility of proving the existence of god, yet still remain both a believer and a philosopher. Perhaps this humbler role liberated European philosophy from having to claim a certainty which some might think beyond the intellect. (The closest Europeans came to adopting the Muslim approach was when some 'Averroists' suggested that there might be 'two truths', one known by faith, the other by reason.)[5]

ISLAM'S REJECTION OF PHILOSOPHY

But in the long run, Islam rejected the abstract mode and confined itself increasingly to the narrative.[6] Philosophy as an independent genre was first isolated, then extruded. The *falasifa* themselves had always been pessimistic about their own prospects. They felt 'strangers'; people 'despise the nonconformist, and often seek him out so as to harm him . . . even to the extent of beating and killing him' (al-'Amiri in Kraemer 1992: 239–40). *Falsafa* never had more than a handful of practitioners; the last *falasifa*, Ibn Rushd and then, more than a century later, Ibn Khaldun, were completely isolated. But then so were some of Europe's most original minds, both then and much later. Both Marsilius of Padua (1275/80–1342/3) and William of Ockham (*c*.1280–1349) developed most of their political ideas in relative isolation, and their influence was not felt for some considerable time.

The renaissance of Greek learning came early in Islamic intellectual history, and was progressively snuffed out; whereas in Europe dialogue between ancient Greece and contemporary culture went on until the twentieth century. Islamic intellectual history looks like European intellectual history in reverse.

One obvious difference between Islamdom and Europe was universities. In Europe, Greek philosophy and original enquiry inspired by it both became part of the university curriculum. Muslim *falsafa* had no place in any educational curriculum; madrasas were devoted exclusively to 'the religious sciences' (Makdisi 1981). The closest *falsafa* came to gaining institutional support was when the caliph al-Ma'mun (r. 813–33) set up 'the house of learning'. But the relative open-mindedness of the earlier

'Abbasids was successfully challenged by pious enthusiasts and rigid textual literalists, such as Ibn Hanbal, who demonstrated their ability to mobilize the crowd in Baghdad. It was not unusual for later dynastic regimes similarly to start out with a relatively open cultural and religious policy, only to meet with criticism from the religious-teaching lobby, and to be forced to disown or clamp down on expressions of different approaches, however orthodox their proponents thought they were. One thinks of Ibn Rushd under the Almohads of Spain (Black 2001: 117, 125), the Ottomans, the Safavids, and the Mughals. The destruction of the finest observatory in the world near Istanbul in 1580 was not merely a symbolic act.

The history of Islamic thought demonstrates that, as Karl Popper intimated, it is possible to bring scientific enquiry to an end by coercion. The means of coercion was social pressure from the 'ulama, who if necessary could usually mobilize mass support and so force the state to act. Since *falsafa* could have provided an alternative to orthodox jurisprudence, the 'ulama may have been acting partly in their own interests. The mode of knowledge that eventually acquired sole legitimacy in the Islamic world (F. Rosenthal 1970; Chamberlain 1994) reinforced the social authority of the 'ulama by giving them and them alone the authority to distinguish right from wrong.[7]

But *falsafa* as an intellectual enterprise may also have withered away partly because some of the best philosophical minds argued that unaided reason can know little or nothing about the ultimate nature of things, so providing yet another reason for subordinating it to revelation. Al-Ghazali, the most original and wide-ranging of the philosophers, subordinated philosophy to revelation. Ibn Khaldun held that what the unaided human mind can know is very limited: when reason and revelation disagree, one should prefer revelation.

Those who occupied the citadels of Muslim orthodoxy, especially under the influence of the theological school of 'Asharism and the legal school of Hanbalism, took narrative monotheism all the way. All events are caused directly by the all-powerful will of god. Occurrences in nature and human life are unmediated acts of god, to be understood as his inscrutable will.[8] Causal analysis therefore is irreverent. Intellectual coherence should not be expected. If taken all the way, as it was, this approach excluded the very possibility of natural or social science. There is, of course, a good deal in human experience to support this view.

Orthodox Muslim thinkers denied that one can translate the data of revelation into any language, or set of postulates, other than that of the sacred texts. The Quran was 'uncreated'. As C. Wright Mills said of the relationship of Leninism to Marxism, Sunni orthodoxy is not the only possible outcome of Islam, but it is one possible outcome (1962: 141–6).

This was foreshadowed in a debate held in Baghdad in 932 on whether language or logic is the starting-point of human understanding. A philosopher argued that logic provides the universal criterion, valid for all humans and nations. His opponent argued that languages existed before logic; all meaning is inextricably embedded in language. Understanding can only be achieved in a particular language; there can be no universal trans-linguistic canon of rationality. This postmodern view triumphed.[9]

Some Muslims combined elements of philosophy with mysticism. Sufism (Trimingham 1971; Black 2001: 128–35) became a popular alternative for those seeking personal apprehension of the inner rhythms of being, of something divine; and it absorbed some *falsafa*. This path was also taken by some people in late medieval Europe.

After about 900, in the majority Sunni view, there were no gaps in the Shari'a to be filled in, so nothing new was to be added. This became known as 'the closing of the gates of independent reasoning (*ijtihad*)'. The critical point was that the Consensus had achieved a status of religious authority that put it almost on a par with the Quran. The distinguishing feature of Sunni orthodoxy as defined by the jurists is that, once an interpretation has been 'agreed' and entered the canon, you cannot go back on it.

This may be compared with the way in which the Christian church approached the interpretation of *its* sacred sources, namely the Bible as interpreted by the major ecumenical councils. Most of what Catholic and Orthodox Christians held to be unchangeable religious orthodoxy consisted in statements about the deity and Jesus Christ, who was said to be at once god and man. Most of what Muslims held to be unchangeable orthodoxy consisted in ethics and law, in many cases down to the finest detail. When similar legal rulings were made by Christian councils (for example, on the celibacy of the clergy or the appointment of bishops), these were not regarded as part of divine revelation but as one application of it. They were, therefore, changeable. The Protestant Reformation went further, refusing to accept as authoritative anything except the Bible.

The nature of Islamic jurisprudence and of Muslim political thought generally meant that reformers of Islam have tended to believe that the unsatisfactory state of affairs which they are trying to change is due to insufficient effort to implement the existing moral and legal code. They strive to revamp the Shari'a, to restart the old engine: Wahhabism, for example. By investing details of social behaviour with religious sanction and mystique, Muslim religious and political leaders found it difficult to adapt to new challenges.

It was only after repeated failures to achieve improvement by these means, and the obvious military inferiority of Muslim powers, that a different approach was taken by the 'modernists' of the nineteenth and twentieth centuries. They then faced the problem that new interpretations of the religious canon had for centuries been impermissible. What they did was to 'reopen the gates of independent reasoning'. The philosophers' approach was reactivated by Jamal al-Din ('al-Afghani'); he called, appropriately, for an Islamic 'Reformation'. Such thinkers distinguish between a core or essence of Islamic ideals, and the way these have been interpreted under specific historical circumstances (rules on the status and conduct of women are a prime example). 'The provisions of the [Shari'a] were capable of alteration in accordance with the requirements of the time' (Berkes 1964: 213). The jury is still out on this endeavour.

These developments in intellectual history help explain why the legitimacy of the caliphate, and of states generally, came to be calculated almost exclusively in religious terms. Authority derived from the narratives of revelation, not from philosophical discourse. Political thought became dominated by the norms of religious correctness, 'governance according to religious right (*siyasa shar'iyya*)'. This in turn was based upon the narratives of revelation: the Quran, the hadith, and genealogy (Al-Azmeh 1997: 99, 102, 112).

EUROPEAN RENAISSANCE

In Europe, by contrast, even in the 'Dark Ages', although they had far less ancient Greek material and were certainly (as everyone knows) less advanced in mathematics, natural science, and philosophy in general, this

truncated heritage led to a sense of loss and a yearning for more, whenever and wherever more could be found, rather than to dismissal of what was not explicitly Christian. Already during the Carolingian Renaissance of the eighth and ninth centuries, 'intellectual activity was recognised to be a fundamental part of the spiritual and cultural goals of all Christians, and the primary focus of its culture... [P]hilosophy had a secure place in the intellectual activities of many of the leading scholars of Europe' (McKitterick, in Marenbon 1998: 105–7). This was also a contrast with the Byzantine world, where they had access to more ancient texts but did nothing with them. Because Greek philosophy had not been so widely available in the West, it had never been seen as such a threat to Christian doctrine as in the East; and what there was of it had been 'christianized' by St Augustine and Boethius, whose *Consolation of Philosophy* (*c.* 523) struck a particularly sympathetic chord.

The first Christian texts themselves had been written in Greek. Both the New Testament and early Christian apologists identified Jesus Christ with the *logos* (reason) of Greek thought. Some early Christian thinkers implied that not only Christians but all humans have a share in Christ as reason. They used the language and concepts of Greek philosophy to explain the Trinity and the Incarnation. But the intellectual history of the early church, and still more of Byzantium, shows that there was no necessary connection between this and a desire to study ancient philosophy more widely, or to follow its paths of enquiry.

What the Europeans did have was Cicero, some of Aristotle's works on logic, and the Roman poets Vergil and Ovid. Thousands of monks were reading Cicero, whose 'moral doctrines bore such a strong superficial resemblance to the Christian ethic' (Bolgar 1958: 189): no monk himself, but a martyr (to republicanism). Cicero's versions of Stoic philosophy and ethics were introduced into northern and western Europe alongside Christianity from the time of the first Roman and Celtic missions to the interior (ibid. 121, 126, 193). Cicero's *On Duties (De officiis)* was the most widely read book after the Bible. Cicero, while an ardent theist with great respect for religious observance, proclaimed moral values that were based on reason and laid out duties and rights for all human beings regardless of culture, race, or citizenship.

This study and appreciation of pre-Christian culture had social and institutional bases. Monasteries and the cathedral schools were supposed

to provide free education in the humanities, and sometimes taught philosophy. A few of these developed into the first universities. The court of Charlemagne and his successors, and other secular and episcipal patrons, promoted the dissemination of texts (McKitterick and Marenbon 1998: 99, 101–7; Southern 1953: 202). Knowledge of and delight in ancient Roman and Greek culture was becoming relatively widespread, as was acquaintance with Iranian culture in the Islamic world. Transmission was aided by craftsmen and Jews in an 'underworld of learning'. By *c*.1100 Paris had a 'floating population of students of all ages and conditions' (Bolgar 1958: 180, 203). During a philosophical dispute over the Eucharist, 'even the laity talked about it among themselves in the streets' (Southern 1953: 208).

Despite, or rather because of, the collapse of the Roman empire and the barbarian invasions (or mass illegal immigration) into the West, the culture of Rome rose to almost iconic status, as the vehicle of a once-better world. Its principal conveyors were not outsiders or dissidents but churchmen, the only moral leaders left in the new order. The papacy in particular never ceased to deploy Roman rhetoric and law. Rome had stayed on, only its gods changed. Its conduit changed from villa to monastery, a slightly more popular institution. The 'restoration' of the Roman empire under Charlemagne (800), and then again under the Ottos (962) brought hopes of a return to ancient glories. Rome and its empire became a model and a hope for leaders and peoples in the developing states of western Europe. Of Rome's heritage in literature, philosophy, morals, law, and politics, Islam knew nothing.

REVIVAL OF PHILOSOPHY IN TWELFTH-CENTURY EUROPE

Western political theory as we know it developed as a result of the revival of philosophical enquiry in the twelfth century. This itself requires explanation. The transmission of Aristotle and his Muslim commentaries via Spain does not explain why these works were introduced now, rather than earlier or later; nor why they made such an impact on Europe at the very time when they were no longer being taken seriously in the Muslim

world; nor again why there was no new philosophical development in the Byzantine world. Part of the answer may lie in the need to find credible solutions to the problems of religious and political order posed by the Gregorian movement. Logic and dialectic were seen as the tools needed to investigate theological issues vexing hearts, minds, and the church authorities (Berman 1983: 158–9).

Europeans saw philosophy as meeting a religious need, as the right means to resolve religious disputes and doubts, indeed as a way of shoring up, rather than undermining, what was considered orthodox doctrine. This gave it legitimacy. All this presupposes an enlightened and somewhat adventurous attitude on the part of the individuals involved. When faced with the problem of explaining counter-intuitive Christian beliefs such as the Trinity, the Incarnation, the bread become Christ's flesh in the Eucharist, people turned to the new disciplines of logic and dialectic in search of explanation. This made them examine anew, for example, the relationship between substance and accidents. 'Logic rather than literary taste forged the strongest bonds that bind us to Greece and Rome.'[10] Perhaps Islam did not need philosophy in the way Europe did because its creed was less complicated. This does not, however, explain why Byzantium, where theology was no less complex, did not develop philosophical enquiry. The revival and continued development of science and philosophy in Europe rather than in Islam was also perhaps possible because Christianity left space for the ordering of worldly affairs in which faith offered much less specific moral guidance than it did in Islam. But of course this should have affected Byzantium in the same way, only it did not.

The means by which social disputes were dealt with may also have been important. In Europe the legal procedures adopted in this period included fact-finding, criteria of evidence, testimony of eye-witnesses, use of analogies between different cases, and subsuming individual cases under general laws (Berman 1983: 147, 152–3, 157–8). These methods replaced trial by ordeal (Brown 1975). In other words, the method for resolving disputes was itself becoming empirical and dialectical. The legal principle that each side should be heard and their merits compared reflected, or was reflected in, the dialectical method of scholastic philosophy. The jury system placed fact-finding and a search for truth in the public arena. Since the settlement of disputes is central to people's lives, these methods may have affected people's outlook in general.

There was renewed concern for the coherence and rationalization of church law. One of the first practical uses made of logic and dialectic was the reconciliation of contradictory authorities in theology and canon law (Berman 1983: 142–3). Gratian's thematic collection of canon law owed much to Peter Abelard's treatment of theological problems in his *Yes and No* (*Sic et Non*). Ullmann remarks upon 'the rapidity with which canonistics became the most important intellectual activity, at once combining pure and applied science, invading all existing seats of learning' (1955: 373). In Islamdom, on the contrary, orthodox jurists saw philosophy as a rival and a threat.

Europe was driven into an ongoing dialectic by the clash within it of two binary sets of ancient cultures: the Israelite modulated by the Christian, and the Roman following (but in Europe preceding) the Greek. This has led to the perpetual dialogue in European culture.

And yet it was now that persecution of heretics began in earnest. As men rallied to the first crusade, there was an outburst of attacks on Jews and their property on a scale not previously known. In this period religious persecution became institutionalized in Europe. There was no toleration of heresy among Christians, and Jews were treated as outsiders; while in Islamdom Jews, Christians, Shi'ites, and unorthodox sufis were to a large extent tolerated. Yet this 'formation of a persecuting society' (Moore 1987) coincided with an outburst of intellectual activity and philosophical enquiry, and an expansion in higher education that was inviting students to participate in critical thought. In other words, philosophical dissent was not seen as a problem provided one adhered to the formulae of the church creeds and accepted the pronouncements of the church authorities. In Islamdom, on the contrary, as we have seen, philosophy was suspect, and marginalized. It is difficult to know how to explain such a combination of intellectual adventure, suppression of alien beliefs, and aggression towards outsiders. All they had in common was self-confidence.

This was not so much an 'age of faith' as an age when leading minds combined faith with enquiry, confident that the articles of faith could be demonstrated to be true. The philosophical movement included men at the heart of the religious establishment. Anselm, a pro-Gregorian abbot and later archbishop of Canterbury, revolutionized the relationship between faith and reason, between religious and secular knowledge, by

declaring that faith seeks understanding (*fides quaerens intellectum*), is a necessary preliminary to it ('I believe in order that I may understand: *credo ut intelligam*'). This approach was further developed by Thomas Aquinas. Anselm attempted to demonstrate (as Berman puts it) 'by reason alone what had been discovered by faith through divine revelation' (Berman 1983: 175; Marenbon 1998: 122–3). He even tried to provide a rational explanation for Christ's Incarnation; this, at the very time when an intellectual leader of Islam such as al-Ghazali was attacking the claims of philosophy and emphasizing the shortcomings of reason in the search for god. Most leaders and adherents of European heretical movements, on the other hand, were poor and uneducated.

In Europe, then, in complete contrast to the Muslim world, logic and philosophy were taken over by impeccably orthodox defenders of the faith as the right way to acquire and transmit theological truth. There was harmony and companionship between intellectual and official leaders, both of whom saw the application of logic and philosophy to theology and canon law as an opportunity more than a threat.

The teaching and study of logic and philosophy were institutionalized in the European universities, especially Paris, which provided the cadres for both church and state. But an enquiring approach went deeper in society. New ideas spread among the population at large, as never happened in Islam; philosophy was something of a mass movement (Southern 1953: 266). 'Intellectual restlessness' was a 'new factor in the general life of Western Europe' (ibid. 203). And 'for the first time since the collapse of Rome sexual relationships had become a matter of interest which educated men were prepared to discuss at great length' (Bolgar 1958: 186). The lyrics of the 'wandering scholars' show an openness of heart. There was 'the birth of self-consciousness through love' (Morris 1972: 118; Waddell 1934). Muslims, by contrast, knew no Greek or Latin poetry,[11] though they produced plenty of their own.

And this was not only a *revival* of Greek philosophy. In the first half of the twelfth century Abelard and others 'posed and tackled philosophical questions with an originality which makes the model of assimilation inapproprate' (Marenbon ed. 1998: 176, 180). Almost from the start, the scholastics were asking new questions. This led eventually to what may be called the first European revolution in philosophy, initiated by William of Ockham (Marenbon ed. 1998: 329–67).

Abelard's idea that 'by doubting we are led to questions, by questioning we arrive at the truth' (Gimpel 1976: 173) was a new venture in religious thought. In Islam doubt was dismissed as unbelief (F. Rosenthal 1970: 300–8). The scholastic philosophers, at least until Ockham, were confident that their intellectual problems, difficult as they were, really could be solved by the proper application of logic and dialectic. The same self-confidence radiated from the Gregorians' belief in the superiority of their case in theology and canon law. The way in which 'Abelard and his supporters . . . were emotionally prepared to follow the lead of the ancient world without serious reservations' (Bolgar 1958: 160) was akin to the willingness to pursue the practical implications of 'truth', at whatever cost to oneself, proclaimed by Gregory VII.

This explosion of intellectual activity must be seen in the light of the economic changes which Europe was experiencing (below, p. 138). In its development of a political culture of accountability and participation, twelfth-century Europe bears comparison with Greece in the sixth and fifth centuries BCE. Neither of these moments of political creativity can be explained by environmental or economic factors alone.[12] But Europe resembled Greece in her geographical and political diversity. The volume of political participation was greatest in the self-governing towns, cities, guilds, monasteries, cathedral chapters, and in the universities themselves. The structure of these bodies, even those that were not wholly autonomous, meant that an increasing number of people, including the intellectual elite, had to take decisions for themselves about public matters of central importance to their own lives. In both Europe and Greece, then, a degree of political self-management was accompanied by intellectual creativity—activities which both involve calculated risk-taking. Their commanding position in the world gave people self-confidence, as well as the material resources for intellectual productivity. This seems to be generally the case with cultures that take the lead in philosophy and science, as modern Europe and America today indicate.

The new birth of philosophical enquiry in twelfth-century Europe proved to be the start of an ongoing intellectual enterprise which is still with us. Each generation of thinkers reacted to what a previous generation had thought. This continuing philosophical ferment was the root of political theory: consider Locke, Hume, Kant. For this there is no parallel in Islam. This is what gave us modern political thought.

Understanding of Rome and Greece, the excitement awoken by Greek and Latin literature, with their invitations to adventure and enterprise of heart and mind, were disseminated throughout society by schools for aspiring young men. The Reformation's emphasis on education for the many extended the appeal of classical learning to burghers and artisans. The torch of this progressive renaissance was rekindled in modern times by, for example, Rousseau, Goethe, and the Romantic movement down to Nietzsche. The Roman Republic was a model for Rousseau, the United States, and the French Revolution; Athenian democracy for Marx and Mill. Only in our own day are Greek and Latin no longer understood.

NOTES

1. Nasr and Leaman, eds., 1996; Kraemer 1992; Makdisi 1990; Fakhry 1983; F. Rosenthal 1975. The school of Jundashipur, founded by Chosroes I in 555 after expulsion of non-Christian philosophers from the Byzantine empire, was one factor.
2. Al-'Ashari, in F. Rosenthal 1970: 88, 281, 322.
3. Lit. 'weigh', 'test', 'level', 'scales': Gardet 1981: 392; Goldziher 1971: 360–2; *EI* s.v. *mizan*. See also Black 2001: 106–7 (on al-Ghazali). This may have been influenced by the Zoroastrian notion of 'right measure': Sh. Shaked, ed., *Transition Periods in Iranian History* (London: Ashgate, 1987), viii. 218.
4. He wrote *The Incoherence of the Philosophers*, to which Ibn Rushd replied with *The Incoherence of the Incoherence*.
5. *Averroismus im Mittelalter und in der Renaissance*, ed. F. Niewoehner and L. Sturlese (Zurich: Spur, 1994); *Multiple Averroes* 1978: 275–81.
6. As Leaman puts it, 'the space which philosophy sought to occupy was *already* filled by theology, the theory of language and the well developed jurisprudence' (1985: 130–8).
7. See H. Ritter in Brunschvig and Grunebaum eds. 1977: 175–9. There was an 'ankylose de la pensee philosophique': ibid. 248 ff.
8. Gibb 1962: 205 and 179, where he notes the undiminished role of ancient Arab animism: 'the range of the supernatural is extremely wide.'
9. Kraemer 1992: 110–13; Al-Azmeh 1997: 214–15. Al-Farabi tried 'to sketch a universal grammar which may be applied to every language' (Walzer, in *VC*: 431).

10. Bolgar 1958: 149; he goes on: 'the attempt to master logical techniques resulted in the widespread and efficient understanding of the most comprehensive of ancient philosophers'—Aristotle—'and made the basic categories of ancient thought an essential part of the European tradition.'
11. 'To persons for whom the tragic sense of classical Greek drama, focusing on irreducible evil, raises the most telling ultimate questions about human life, the Islamic tradition . . . may seem to lack a crucial profundity which may be found in the Christian tradition' (Hodgson 1974: ii. 339).
12. The development of philosophy in Greece was not accompanied by any innovations in technology (Lloyd 1979: 235 ff.).

7

Changes in Religion and Politics

THE FIRST EUROPEAN REVOLUTION

The political thought of Europe, Byzantium, and Islam began to diverge much more noticeably from the late eleventh century. It was now that Europe differentiated herself both from her own past and from other cultures. So far as political thought is concerned, the main cause appears to have been the Gregorian movement for church reform (the Investiture Controversy, the Gregorian revolution; Moore 2000). The reformers' principal aim was to liberate (as they put it) the clergy from control by secular rulers. Their leader was Hildebrand, a German monk who became Pope Gregory VII (r. 1073–85). He was a model European revolutionary, convinced he was right, personally austere, pushing ideas to their 'logical conclusion'.[1] He appealed for support from the faithful at large against kings and nobles. He used persuasion, but, if that failed, proxy armies. 'The policy of converting the world gained once and for all the upper hand over the policy of withdrawing from it.'[2]

In the 1050s the reformers gained control of the papacy. The pope, acting with the Roman synod, proceeded to decree that the pope and all other bishops must from now on be freely elected, and that secular rulers—in the case of the pope, the German emperor—should have no say in their appointment (Tellenbach 1993: 176–7; BT 31). This was revolution from the top.

But beyond this, Gregory and his supporters aimed at reform of both the church and Christian society as a whole (more or less the same thing to them). They had a total programme of constitutional change. They—and Hildebrand in particular—acted on a conviction that god had given undivided sovereignty (fullness of power: *plenitudo potestatis*) to the Roman church. This had been founded 'by god alone' through St Peter, to whom Christ had transmitted his authority (*Reg.* 202). Peter and the popes who

succeeded him had authority to distinguish bad from good, to declare people damned or saved accordingly. Rome was the supreme church court of appeal; the pope could make new laws and regulate all other church office-holders (*Reg.* 202–3, 207). Gregory believed that whoever succeeded to Peter's office was automatically endowed with Peter's spiritual merits, that St Peter spoke and acted through him as pope. Allegiance to Rome was a matter of personal fidelity to the pope.

The reformers asserted the supremacy of the church (and so of the papacy) over secular rulers on the ground that the pope was just as responsible for a king's spiritual welfare as he was for everyone else's. Since the clergy had authority from Christ to judge spiritual matters, it was only logical that they should also have authority to judge secular matters: 'if the see of blessed Peter pardons and judges heavenly and spiritual matters, how much more earthly and secular ones?'[3] Gregory saw his task as to bring justice and peace, defending 'the rights of all' (*Reg.* 230, 257). Kings were obliged to uphold and implement canon law. The pope could excommunicate any king who failed to do so or who was in other ways morally delinquent. Such a king was no longer fit to rule his people; the pope could release his subjects from their oath of allegiance (*Reg.* 208), in other words, he could legitimize rebellion. He could depose rulers if they were sinful or useless in doing their job (*Reg.* 554; Tellenbach 1993: 218, 237). 'If you [the bishops of the Roman synod] can bind and loose in heaven, you can take away from and give anyone, according to their merits, empires, kingdoms, principalities, dukedoms ... and all human possessions' (Roman synod, 7 March 1080: *Reg.* 487). This was precisely what Gregory tried to do in the case of Henry IV, the German-Roman emperor. Rome's authority had come back: 'Christ has become emperor of those over whom Augustus was emperor ... The sway of the Roman bishop extends to more countries than that of the emperors' (letter to the king of Denmark: *Reg.* 237).

The immediate issue was Gregory's attempt to take the appointment of bishops away from the emperor. This ended in compromise. The reformers had greater success in extending papal sovereignty over the clergy. But the claim to priestly and papal power over rulers met with immediate and persistent opposition. It was never accepted except by canon lawyers and churchmen (and not all of these). The reform papacy did not succeed in imposing its view of the relationship between religious and political

authority. The balance of power between pope plus clergy and secular rulers was determined by the circumstances in different regions. But in the longer run, most kings and secular states were able to reassert their power with a vengeance.

This European revolution, both because of what it was about and because of the way it was conducted, stimulated people's consciousness over issues of public morality and constitutional justice in a way that is crucial to an understanding of the divergence between Europe and the Islamic and Byzantine worlds. Its influence was certainly not confined to churchmen and members of the elite; it was also in some places a mass movement.[4] This was a propaganda war with an unprecedented circulation of political pamphlets. There was a deliberate attempt to mobilize the clergy and civic groups. Gregory regularly called upon 'the clergy and people'; he appealed not only to bishops and princes but 'to all true lovers of the Christian faith and the honour of blessed Peter' (*Reg.* 289). He advocated boycott, agitation, and subversion. The conflict led to 'an enlargement of consciousness . . . among the hitherto silent stratum of the mass of the *laboratores*, the unprivileged' (Leyser 1994: 15; 1982: 155).

The Gregorian ideal of papal judicial, legislislative, and executive sovereignty was a prototype of the modern western state (Berman 1983: 25, 113, 275). Bodin himself, the first theorist of the modern sovereign state, referred to Pope Innocent IV (*c*.1200–54) as 'he who best understood the meaning of absolute power' (Black 1970: 84). 'These clerical intellectuals had invented the world of discourse of the modern state.'[5] The papal model 'helped transform clan chiefs and feudal overlords into supreme rulers' (Berman 1983: 535). It gave a powerful impetus to the tendency 'to identify the business of government as a distinct activity, separate from the person of the king' (ibid. 445). Government passed from feudal magnates to professional civil servants, often clerics of humble origin. The proposal to have bishops elected by their clergy, and only after that invested as vassals by the king, undermined the feudal relationship; while the ban on marriage and concubinage by priests ruled out at least one means by which wealth could be inherited. The immediate impact on state formation was felt both in the Norman states of Sicily and England—both, incidentally, allied to Gregory—and in the Italian city-states. All this affected the future development of political culture in Europe. Europe and the West started on the road they have followed into the twentieth century.

Gregory's own views on politics were a radical critique, based on aspects of Christian doctrine, of 'the rulers and princes of this world' who, he said, pursue selfish aims, practise injustice, exercise power tyrannically and accumulate excessive wealth 'in proud pomp and superfluous luxury' (*Reg.* 64–5). He attacked the prince-bishops of the Germanic empire in these terms. Using Augustine's political ideas, Gregory initiated an epoch-making *delegitimation of sacred monarchy*. 'Everyone knows that kings and leaders began among those who, ignorant of god, through pride, robbery, treachery, murder, driven on by the devil ... decided to dominate other men who were really their equals.' Good Christians are the only true kings; bad princes belong to 'the body of the devil', their power leads them to eternal damnation 'with the prince of darkness, king over all the children of pride' (*Reg.* 552, 557). There is nothing sacred, then, about earthly kingship. This was the start of the secularization of political power, part of the 'disengagement of the two spheres of the sacred and the profane' (Brown 1982: 305). Gregory put secular government on a lower level in the scheme of things. This move, by the highest religious authority in the West, to downgrade monarchy opened up cracks through which limits on royal power, the right of resistance, and the deposition of monarchs could emerge.

These sentiments were not by any means of themselves at variance with views held in the Muslim world. But they had no counterpart in Byzantium. Gregory's tone of contempt for secular power echoed Hanbali and Shi'ite scorn for occupants of the caliphate. But unlike the Shi'a and Hanbalis, the papal programme aimed at constitutional change here and now. The papal reformers argued that the electoral principle should be applied to kings as well as clergy. Abbo, abbot of Fleury and a canon lawyer (*c*.945–1004), had specified three types of 'general elections': that of a king or emperor by 'the agreement of the whole kingdom', that of a bishop by 'the unanimous voice of citizens and clergy', and that of an abbot (Carlyle 1962: iii. 149). Gregory VII aimed to put such principles into practice: 'let them not put their own son in charge of the flock for which Christ shed his blood, if they can find someone better or more useful than him' (*Reg.* 561–2).

Gregory wanted to see secular government reformed as well. He insisted that it fulfil its functions. These are clear enough. Kings and emperors are 'summoned' by the church, of its own free will, 'not for transitory glory but

for the salvation of many'. Moral standards apply to royal conduct: the king of France was criticized for levying arbitrary taxes on Italian merchants (*Reg.* 130–1). Kingship is an office like any other; its tenure depends upon satisfactory performance.[6] The Gregorian movement tended to enhance the notion of government as an abstract office distinct from the person of the ruler (see above, p. 60). There was no suggestion, however, that monarchy should be replaced by parliamentary or republican government. In that respect Gregory remained within the tradition of ethical monotheism: if the ruler is bad, replace him with someone morally superior.

The Gregorian movement emphasized, of course, the distinction between secular and ecclesiastical power. For church authorities, and they alone, have been instituted by Christ himself. It might indeed be conceded that secular power also came from god as part of the natural order, but even so, like the rest of the created world, it was subject to the new and superior dispensation of Christ. For Gregorians, this meant that in the last analysis it was subject to guidance and correction by the clergy.

These attacks on sacred monarchy were a reversal of the hitherto dominant Eusebian model. They summoned up something of the Israelite—even, by implication, the Athenian—ideologies. This was something which has separated the West from the Byzantine East, and probably from the rest of the world, ever since.

These attacks on the status of kingship and the secular state itself did not, with few exceptions, have the hoped-for consequence of enabling the church to control the state. Popular sentiment, the prevailing intellectual temper, the dispositions of power, and everyday experience told against that. But it had one unintended consequence: it made people look elsewhere for the legitimacy of the state. It provoked a reaction which inspired new, more secular theories of the state. In the Christian dispensation as understood at the time, appeal to the divine origin of kingship and political authority could too easily be trumped by a hierocratic theory such as papalism: god had indeed authorized human authority, but the human authority he had authorized was first and foremost the papacy and the clerical order, to which royal authority, even if god had also authorized it, was subordinate.

Therefore defenders of royal authority and of the autonomy of the secular state were forced to look elsewhere. States were, it was soon argued, based on recognizable human needs, the desire of humans to live together,

the need for peace and order, and so on. From now on, and for these reasons, political thought in the West differed more sharply from that of the Islamic and Byzantine worlds. Its later trajectories took these further and further apart.

THE CITY REPUBLICS

This revolutionary movement coincided with the growth of the Europen economy,[7] which was generating vibrant urban communes. Many of these were acquiring internal autonomy, and several, especially in northern Italy, the Rhineland, and the Low Countries, were developing into self-governing city-states. The most powerful were cities which made money by long-distance commerce (such as Venice, Cologne, Lübeck, Florence) or were hubs of the woollen cloth trade (Liège, Bruges). Hundreds of other, medium-sized towns acquired partial autonomy. The slogan 'liberty of the church' and the demand, supposedly grounded in divine law, for free elections had a specific resonance in cities aspiring to self-government and in the very process of freeing themselves from feudal control, in some cases from the very same aristocratic bishops whose legitimacy the Gregorians contested on grounds of religious law. Liberty of the church and communal liberty 'were parts of the same movement for corporate self-determination' (Black 2002: 63). Gregory himself said the appointment of the bishop of Pisa depended upon 'consent of the Roman bishop and election by the people of Pisa' (*Reg.* 414). The ideals of religious reformers boosted the legitimacy of corporate governance generally, in towns and communes as well as in monasteries and cathedral chapters. Indeed, religion played a prominent part in civic ideology. Several friars wrote in support of civic independence and republican government. The development of civic and republican government benefited from the papal demystification of secular authority.

Economic development itself was related to willingness to try new ways. Technological change involved 'a large class of mechanical tinkerers, sometimes in association with enquiring natural philosophers' (E. Jones 1981: 65). This coincided with aspects of the Gregorian mentality. Gregory defended himself by saying he acted 'as reason and convention require'

(*Reg.* 230). But, so far as the structure of the church itself was concerned, he put rationality above tradition: 'the Lord did not say: "I am tradition (*consuetudo*)", but "truth" ' (in Tellenbach 1940: 164).

The first European revolution had parallels with Islam, but immediately differentiated western Europe more sharply than ever from the Byzantine sphere. The self-confident assertion of papal leadership helped western Christendom to define itself more self-consciously over against other societies, as a *societas* (or *respublica*) *christiana* based on the Catholic faith under the authority of the Roman see. The Gregorian movement rested on the conviction that they were right.

This is indicated by the pope's excommunicating the patriarch of Constantinople in 1054 over a trivial ritual matter. This was, as it turned out, the final schism between the western and eastern churches. The irruption of the Saljuq Turks (1071) into the Byzantine heartland of Anatolia encouraged the feeling of the enemy at the gates (it certainly looked that way to Gregory), and led directly to the fierce assertion of identity and otherness that accompanied the first crusade (1095). Internal bonding is strengthened by (some would say depends upon) a heightened sense of the other.

SUNNI CONSOLIDATION

There was no significant change in the religio-political ideology of the Byzantine world. The papal revolution had, as we have seen, the effect of deepening the differences in political thought and culture between eastern and western Christendom.

But in the eleventh-century Muslim world the relationship between religious and political authority was also being reappraised, and to some extent redefined. Efforts to restore the political power of the Sunni caliphate in some ways mirrored the papal reform movement. The 'Abbasid caliphate, like the papacy, saw itself beleaguered, surrounded by enemies. A Shi'ite dynasty ruled in the Muslim heartlands. The caliphs al-Qadir (r. 991–1031) and al-Qa'im (r. 1031–75) saw in the westward advance of the Saljuk-led Turkish Sunni tribes an opportunity to restore the caliphate to its proper position, rather as the papacy relied on the Normans in southern Italy. In Baghdad itself there was some popular

unrest, and expressions of support for a revival of religious orthodoxy, not dissimilar perhaps to moves against aristocratic bishops in the Italian cities.

The intellectual thrust behind all this was, however, quite different from that behind the papal reform. The caliphs promoted the textual literalism of the 'Ash'arite and Hanbali schools, attacked the quasi-rationalist Mu'tazilites (Makdisi 1963; Black 2001: 82–5). A programme to restore the caliphate to its perceived original position of political supremacy was, as we have seen, mapped out by the jurist al-Mawardi, writing in 1045–58, just at the time of the Saljuk takeover of Iraq (above, pp. 24–5). His programme had certain features in common with that of the reform papacy. Al-Mawardi wanted to re-establish the caliphate as the overall director of the Islamic 'umma, as the fulcrum of the political, as well as the religious, order of society. God 'entrusted government (*al-siyasa*) to [the caliph], so that the management of affairs should proceed [on the basis of] right religion' (in Lambton 1981: 85). All legitimate authority must ultimately be derived from the caliph. Whatever the means by which sultans and amirs came to power, their authority to appoint religious judges and raise taxes came through explicit or implicit delegation from the caliph. In the Islamic world such ideas were not new, but more like a revival of the original religio-political order.

At a more practical level, a new accomodation between the religious and political spheres and their respective authorities—the 'ulama and the sultan—seems to have been reached, towards the end of the eleventh century, largely due to the policies of the Saljuk vizier, Nizam al-Mulk. He set out his vision in an influential work called *Rules for Kings*[8] (written in Persian just before his assassination by an Isma'ili Shi'ite splinter-group in October 1092). He conceives the relationship between sultan and 'ulama as reciprocal, on the basis of the old adage, 'religion and government are twins' (above, p. 23). The two sets of authorities support each other, and their roles overlap (*Rules*, ch. 1). At a time when the first European universities were founded, Nizam embarked on an ambitious programme of financing madrasas in all major cities. In the Nizamiyya university in Baghdad, all four Sunni law-schools were represented. He proposed toleration for the Twelver Shi'a.

While one may see certain analogies between the substance of the claims made on behalf of the caliphate and of the papacy respectively, these

claims were differently conceived. Mawardi, and most jurists who followed him, seem to have been concerned with maintaining appearances; so that people might rest assured that their religious practices were sound. These were certainly not revolutionaries. Gregory, by contrast, was determined to make political reality conform to his ideal. He failed to achieve this, and a gap opened up between papal theory and political actuality.

Whereas the all-embracing claims of the Muslim caliphate were, as we have seen, grounded in early Islam, those of the papacy were less easy to justify. It was somewhat easier for western supporters of secular state power to challenge the papacy on the very religious and scriptural grounds on which the papacy chose to contest. This they did, in the end, successfully. Such a step was much more difficult for Muslims.

As we have seen, some separation between religion and politics developed in practice in the Muslim world. The resulting relationship between political and religious power has been summarized as an 'interplay between naked power, symbolic capital, political ritual, legitimacy, religious authority and charisma, and administrative practice' (Al-Azmeh 1997: 177). But, whereas in Europe this was an occasion for ideological and institutional conflict, in Sunni Islam it was veiled in an almost ubiquitous and perhaps partly unconscious fiction.

There was, however, one practical attempt to restore the caliph as the true political leader of Sunni Islam. Caliph al-Nasir (r. 1180–1225), on the eve of the Mongol invasions, set out to restore the caliph as a leader in every sense of the word, by modelling his relationship to believers on that of a sufi *shaykh* to his disiples.[9] Al-Nasir, like the popes, claimed legislative authority (Hartmann 1975: 99, 112–15). In fact almost contemporaneously Pope Innocent III (r. 1198–1216) was allying himself with the new orders of friars to restore papal prestige. But the intellectual hinterland was rather different: al-Nasir rejected the philosophers and burned their libraries. It seems unlikely that Nasir was inspired by the perception of a need to create a unified bloc against Christendom. And he seems to have been unaware of the coming Mongols, who forty years later destroyed Baghdad itself, and with it the caliphate.

While Europe was now entering on a period of economic expansion, the Muslim world was suffering a series of setbacks which might have crippled even a flourishing economy. The Mongol invasions devastated the entire eastern sector, from the Oxus to the gates of Damascus.

Both now, and again under Timur (r. 1379–1405), the underground irrigation systems which had sustained agriculture in Iran were utterly destroyed. This, combined with the destruction of many ancient cities, and sometimes much of their populations, led to 'colossal economic decline' (*CHI* v. 483).

Nevertheless, the economic contraction may not have been wholly due to external causes. Anatolia too suffered a decline in agriculture following the Saljuk conquests; pastoralism and 'tribal anarchy' returned (Vryonis 1971: 285). Much has been written about why, perhaps as early as the eleventh century, this commercially and culturally flourishing society lost momentum, began to stagnate, and then to decline (Cahen 1977: 364–5).

REVOLUTIONARY SHI'ISM IN IRAN

The eleventh century also saw a change in Shi'ism. From the mid-tenth century the Fatimid dynasty of Sevener Shi'a (or Isma'ilis) ruled northern Africa and Egypt, which briefly became a world power. At about the same time the Buyid clan of Twelver (or Imami) Shi'a took over Iraq and western Iran. Meanwhile a succession of Twelver scholars based in Baghdad 'produced the principles of jurisprudence henceforth used by Imamis'. These teachers 'assigned reason a fundamental role' (Halm 1991: 51); they went a small way towards elevating the rational judgement of religious scholars over tradition. As part of this process, the authority of the 'ulama (*mollas*) was increased by saying that they deputized for the Hidden Imam (ibid. 57).

It was only much later, in the sixteenth century, at approximately the same time as the Reformation in Europe, that another major change took place in Twelver Shi'ism, following the takeover of Iran by the aggressively Shi'ite (and also sufi) Safavid clan-dynasty. The Iranian Shi'a changed the political orientation of Shi'ism from quietism to activism (above, p. 34). This was a result of developments in Twelver religious and political thought brought about by al-Karaki (*c*.1466–1534) and his school. They introduced a new rank of religious leaders, the 'well-qualified jurists' (sing. *mujtahid*), who were seen as the deputies of the Hidden Imam. This gave them unchallengeable personal authority. The *mujtahid* could use

his own expertise and reasoning ability (*ijtihad*) to make new rulings for his followers about correct religious and legal praxis. These living experts were, moreover, qualified to override the judgements of earlier *mujtahids* (who were after all only relying on their own reason).

Whereas traditional Shi'ism, as we have seen, discouraged participation in government, al-Karaki and his followers used their new conception of religious leadership to justify active collaboration with the Safavid emperors. Eventually, in the late seventeenth century (at the time of the Glorious Revolution in England), Iranian *mollas* took these ideas to what one could say was a logical conclusion. They staked a claim to authority in the political as well as the religious sphere. There was some resemblance between this movement and the papal revolution; but the outcome was very different. Majlisi the Younger (1627–1700) first brought the religious establishment under the direction of the *mujtahids*.

The *mollas* meanwhile proceeded to undermine the status of the shah as a sacred monarch. They poured scorn on his claim to divine authority: 'how can these infamous kings who drink wine, are driven by passion,' and can hardly read, possibly be God's representatives?[10] It was surely the *mujtahids*, not the shahs, who, as had already been established in Twelver doctrine, represented the Hidden Imam. They sought, not unlike Luther, to step up the religious consciousness of the masses. Majlisi wrote in the vernacular so that, as he put it, 'the masses of believers and the common Shi'a' could know the religious texts at first hand (in *EI* vi. 1087a).

This time, however, it was the clergy, not the secular power, which emerged victorious. Majlisi's revolution changed the relationship between clerical and royal authority for ever in Iran, establishing the foundation for what emerged under Khomeini as the modern Iranian version of a Shi'ite religious polity. From now on it was commonly believed, in the words of a European observer (writing 1684–5), that 'according to divine law the Mujtahid, as the highest spiritual leader, is entitled to rule the Muslims, while the Shah is only required to observe and implement Reports of the supreme pastor'. Much as supporters of the papal programme in medieval Europe thought that rulers ought to implement the ideals preached by the clergy, the Iranian *mollas* now taught that 'as the Mujtahid is a holy man, and consequently a man of peace, there has to be a king who carries the sword for the implementation of justice'.[11] Islamic history is beginning to look like European history in reverse.

NOTES

1. Leyser: 'the frightening severity and heroic persistence with which he pressed [his ideas], regardless of the consequences to himself or to others' (1982: 149).
2. Tellenbach 1940: 164. This was, he says, 'the greatest—from the spiritual point of view perhaps the only—turning-point in the history of Catholic Christendom'.
3. *Reg.* 338, 295, 550; Tellenbach 1993: 331, 337–8.
4. There was an 'upsurge and mobilization of the masses in the battle for the *libertas ecclesie* and what Gregory VII called *justitia*' (Leyser 1994: 2, 12–13; 1982: 138, 140). This 'transformed the Christian world' (Tellenbach 1993: 187).
5. Cheyette 1978: 163. 'The Western legal tradition was formed in the context of total revolution' (Berman 1983: 4, 50, 116; Prodi 1992: 107).
6. Kern 1968: 120 n.; Tellenbach 1993: 245.
7. Facilitated by improved diet, population growth, the improvement of old technologies, and the invention of new ones.
8. *CHI* v. 210–17; Fouchecour 1986: 381–9; Glassen 1981: 121–7. His authorship has been contested.
9. Crone 2004: 249; Hartmann 1975: 112.
10. As reported by Jean Chardin, a French Huguenot, whose European language may exaggerate the parallels with papalism: Chardin, Voyages, iii. 219; Halm 1991: 95.
11. Reported by Engelbert Kaempfer: Halm 1991: 96. Kaempfer goes on: 'without [the *mujtahid*'s] advice, no matters of importance can be undertaken in governing the believers.' See Black 2001: 235–6.

8

The Origins of Western Political Thought

We have noted similarities and differences between European, Islamic, and Byzantine political thought. We have found that after about 1100 European political thought became more and more differentiated from that of other cultures. The European theory of the state was, it seems, a long-term reaction to claims to hegemony by the religious authorities. However, the idea of the state as a product of human nature was not clearly spelled out until some two centuries later.

The questions posed by the relationship between church and state in the West, and above all by the Gregorian revolution, were the main focus for European political thought throughout the period between the papal revolution and the Reformation (Wilks 1963, Watt 1988, Black 1992: 42–84). It was the central concern of the founding fathers of state theory in the West. Marsilius now established the characteristic western mode of political argument: what kind of organization is it rational for humans to establish in pursuit of their interests?

Hobbes and Locke worked within the same political culture and philosophical mode (combining empiricism, logic and dialectic) as Marsilius and Ockham but had little or no direct knowledge of them. They too faced head on the question of how religion and politics, church and state, relate to one another. Their political theories were still in part a response to the threat of religious hegemony by a hierocratic papacy, or by a monarch claiming to exercise religious coercion by divine right in Theodosian mode, or by Calvinists claiming, like Muslim fundamentalists today, that their interpretation of scripture alone held good. Hobbes, like Marsilius, subordinated religious doctrine and its teaching to the state. Locke explained the nature of human understanding, as well as the origins and purpose of the state, in such a way as to rule out (most) religious coercion. Both he and Rousseau theorized the state in such a way as also to rule out absolute monarchy. Here too Marsilius had pointed the way.

In the Islamic world, meanwhile, we have seen how the movement to make the religious leaders and their orthopraxy an indispensable part of political society established the permanent features of Islamic societies everywhere. The movement in seventeenth-century Shi'ite Iran to tighten up yet further the authority of religious leaders succeeded, in stark contrast to the corresponding movement by the papacy in the twelfth-century West.

Modern political theory, then, did not originate, as Skinner (1978) suggested, in the Renaissance, nor again in the Italian city-states. Their indisputable contribution came, for the most part, a little later,[1] and it did not include the central ideas of the origin of the state in human nature and a social contract. All the political philosophers came from, were educated in, or spent the most significant part of their careers in, the north.

NATURAL LAW

One major difference between European and Islamic political thought, and perhaps the most striking of all, concerned the very basis of justice and morals. European philosophers, jurists, and theologians took over from Greece and Rome the view that all legitimate social norms and laws are based upon a single universal 'law of nature (*ius/lex naturae*)'. This originally Stoic concept included certain basic moral principles: 'hurt no one', 'give each his due', 'abide by agreements'.[2] These were held to be known to human beings 'by nature'. From these could be deduced the sanctity of life, property, and sexuality (roughly speaking, the last six of the Ten Commandments). There were indeed hints in early Christianity that one can know and practice morality 'by nature'.[3] The moral duty towards strangers was a leading theme of the gospels. Stoicism, through Cicero and Roman law, gave the European community and the Latin church a distinctive notion of natural right as a set of norms pre-existing organized society, and binding on—and towards—*all* humans, solely because of their humanity. It is (as Isidore put it in the seventh century) 'common to all peoples and what is everywhere held, not by some constitution or other, but by the urging of nature' (*CMPT* 141).

The law of nature differs from Judaic and Muslim religious law in imposing the same obligations and rights on everyone, regardless of religious

affiliation, race, and so on. It is known by reason (as well as by god's revelation), and is therefore accessible to all humans regardless of their affiliations.

Europeans also inherited from Rome the idea of a 'law of nations'. This referred to more specific moral standards which were thought to be so essential to the well-being of humans always and everywhere that they have in fact been adopted by virtually all peoples. Examples were the institution of property and (according to the Romans) slavery, and also basic norms for international relations, such as respect for ambassadors.

In early and medieval Europe, natural law functioned as a standard for interpreting and amending existing laws, and for making new laws. Legislation, difficult to justify if you already have a divinely revealed code, was rendered desirable, indeed necessary, if one thought that the rules obtaining in society, whether these had been established by custom or by legislation—that is, 'human' or 'positive' laws—ought to conform to a basic morality (such as the law of nature). The law of nature was emphasized, in particular, as a code of conduct for rulers, especially (in the view of churchmen who did most of the writing) for secular rulers, even when they claimed exemption from ordinary law. It was part of natural law that 'princes are bound by and shall live according to their laws' (Berman 1983: 145, 154).

As we have seen, Muslims, with the exception of the early group of theologians known as Mu'tazilites,[4] believed only in the immutable Shari'a, defined and revealed (to the lucky ones) by god. Only in the Indian theologian Shah Wali Allah al-Dihlawi (1703–62) do we find the idea of natural law. Humans, he said, like all species, have 'a law (shari'a) infused into the breasts of its individuals by means of the specific form' (of the species). Moral obligations and social rules are an inevitable consequence of the human condition: 'the universal beneficial purposes for the human species [are] embodied in its ideal natural constitution (*fitra*)'. He called this 'nature's law-school (*madhdhab tabi'i*)', a 'substratum of beliefs and practices suited to the basic constitutions of all peoples'. Wali Allah also referred to what sounds like the law of nations: 'in every topic there are issues collectively agreed on among the people of all countries, even if they are far from each other' (pp. xix, 122, 303; Black 2001: 250–3). It is possible that Wali Allah knew of these ideas from European contacts; but, in the absence of evidence, we should not rule out the possibility that he thought

them up for himself, even though he seems to reproduce European thought rather closely.

According to Muslims, the Shari'a can only be known to Muslims; to be moral, therefore, one must be Muslim. All one can know by reason is that such a law is necessary. The Shari'a assigns different obligations and rights to Muslims and to non-Muslims (and also in some cases to women and men); Muslims have many more obligations towards fellow-Muslims than towards non-Muslims. Individual property-rights were asserted in the Shari'a (Crone 2004: 281–2); but, as we have seen, in Muslim discourse rights were only for Muslims, with some allowances for other monotheists. By far the most common Muslim view, therefore, was that morality 'was entirely conventional, in the sense of established by god: no human act had any moral value in itself; all acts were good or bad only because god had defined them so to us' (ibid. 264–5). Non-Muslims could not tell right from wrong. It followed that they must be untrustworthy.

This sets up a moral barrier between believers and the rest of humanity. Issues of justice and injustice cannot be understood by a rational person unless (s)he is of the one true revealed faith. Nor can precepts of natural justice be used to interpret the divinely revealed code. This was the crucial difference between Muslims, on the one hand, and a growing body of Christian thinkers, especially from Aquinas onwards, on the other hand.[5] It was here that revelationism had its most severe and lasting consequences. This is what, more than anything else, divides the Muslim thought-world from other thought-worlds. Traditional Muslim thought does not recognize humanity as a significant category. Again, there is one exception: Ibn Khaldun, in his analysis of human civilization.

Only in recent times, and under western influence, have some Muslim thinkers adopted the idea that rights and duties pertain to human beings as such, and the possibility of a moral discourse that transcends the barriers of religious faith. Even without western influence, some Muslims, especially if living in non-Muslim countries, tend to accept equality of rights and duties towards non-Muslims in practice (out of common human decency, it seems). Whether they will ever explicitly accept the idea of a universal—that is, intercultural—moral language for all humankind is another matter. Of course, one has to say that in practice nobody treats all human beings alike.

LIBERTY

In what we have already identified as the crucial growth-period—the later eleventh and the twelfth centuries—European social and political thought placed special emphasis on liberty. Liberty was a far-reaching ideal; it included freedom of speech, the right to life and property, and sometimes political self-determination. Its popularity may have arisen out of a renewed sense of the uniqueness of the individual, and of the value of the individual's inner life; this is evident in Europe at this time (Morris 1972; Bynum 1980). Abelard's work on ethics was subtitled 'Know yourself'. Augustine's *Confessions* and Cicero's *Letters* provided powerful examples of self-expression and self-analysis. In Roman law one found the Stoic idea of freedom as nature's gift to the individual, 'to do whatever he wants, unless forbidden by law or force' (quoted by 'Bracton': Black 1992: 30). The idea that freedom is worth dying for became a medieval commonplace, thanks to Roman inspiration.[6] Liberty was a fundamental value for theorists otherwise as different as Dante and Ockham.

Individual liberty and individual property-rights topped the agenda of parliaments and city-states. John of Paris, whom we have already encountered as a theorist of the state, held (in Ullmann's words) 'that individuals (whom he called *personae singulares*) had a right to property which was not with impunity to be interfered with by superior authority—because it was acquired by their own efforts—[which] may indeed be called a pre-Lockian thesis of the rights of individuals to property by the law of nature' (1967: 132; Coleman 1985). Personal liberty and security of property depended upon the ability to enforce one's claims through legal process, and upon consent to taxation. Thus liberty went hand in hand with constitutionalism. Consent of the governed was identified as the chief distinction between monarchy and tyranny.[7] Freedom of speech was championed by the Council of Basle in its struggle with the papacy (Black 1979: 133, 155).

Muslims too set a high value on personal liberty—but only for Muslims.[8] For Muslims, as for Plato and Hegel, freedom was (only) a means to the higher end of truth. Moreover, liberty had no place in Byzantine political thought. Indeed, liberty was not stated as a social and political ideal in any pre-modern culture except that of Greece, Rome, and Europe (at least in the surviving records). It was not liberty but a

holistic common good or 'the good life' that was recommended in the commanding vision of all other cultures; and in, many 'western' theorists, starting with Plato, Aristotle, and Augustine. Muslims believed in freedom of speech in the sense of a right to demand observance of religious norms—provided they were the right ones. Otherwise, they did not press for freedom of speech, nor for self-determination in politics.

From the twelfth century onwards, people all over Europe were asserting their 'rights (*iura*)' to life, liberty, and property, rights which, they often insisted, one must be able to vindicate through the lawcourts. Canon lawyers were among the first in the field, basing their argument on natural rights (*iura naturalia*) (Tierney 1989, 1997). William of Ockham, in his discourse on natural rights (Brett 1997: 51), was concerned with what was proper for human beings as such, regardless of place, race, or even religion.

Both the increasingly popular nominalist philosophy (according to which only individual objects, not abstractions, have any real existence), and the way in which people perceived their legal rights and sought to realize these, tended towards an individualist outlook.[9] This, as is well known, became a defining feature of western thought. And this is where the continuous history of the modern theory of universal human rights—in essence reaching back to the Roman Stoics—got going. It was developed by Suarez (1548–1617), Grotius (1583–1645), and Locke. This became the main basis for modern legal rationality and the theory of human rights as we know it today.

THE STATE

Circumstances generated partly by the papal reform movement, partly by the rise of parliaments and city-states, gave rise to what we can now recognize as the specifically European concept of the state. This development of the state was crucial to both capitalism and science;[10] and legitimacy—as we see everywhere in the world today—was crucial to the state.

The new theory of the state was based on rational and empirical arguments. Whatever view one took of the origin and purposes of political society, the sacred became less and less involved. The state was part of the natural order, and therefore still ultimately owed its origin to divine

providence. But religion was not the reason why the state exists. The modern western state has no spiritual meaning for its people (Hegel excepted). It leaves that to religious or other groups. It has a church-shaped hole inside it—and for good reason: it was the result of fission from the religious sphere and from religious authority. This kind of state can—perhaps, if there is to be a good life, has to—coexist with other associations. These make a necessary contribution to the functioning and coherence of public life and civil society.[11] Indeed, political parties were from the beginning essential to the parliamentary regime of England. Nowadays this hole tends to be filled by human rights, which in turn depend on the legal system.

The modern western state and modern western political theory differ fundamentally from those of ancient Greece and Rome. The West did not take up where the ancients had left off, despite large-scale borrowing. Its political theory met different needs (as Marsilius pointed out). Neither classical Greece nor republican Rome experienced the kind of relationship between religion and polity which Europe experienced. Perhaps the Greeks and Romans accepted the subordination of the democratic *polis* or republic to absolute monarchy so relatively easily because only for us have the values of autonomy and democracy assumed the intensity of the sacred.

THEORY AND PRACTICE

Theory tended to lag behind practice. Although from the eleventh century Europe developed a variety of constitutional forms, neither parliaments nor city-states were seriously discussed by theorists till the fourteenth century. Even then parliamentary monarchy was only lightly theorized as 'mixed monarchy', in which the king, 'the best', and the people each play their part.[12] The independence of city-states was not legally secured until Bartolus of Sassoferrato (1313/14–57) reconciled theory with practice two centuries after the fact. Republican city governments were defended, first, as a legitimate alternative to monarchy (Aquinas); then as morally preferable, because more inclined to promote liberty (Ptolemy of Lucca, d. 1327); and then, only in the fifteenth century, as the sole legitimate constitution (Leonardo Bruni, 1369–1444).[13]

Although they were all using Plato and Aristotle, Muslim and European theorists treated city republics in very different ways. The Byzantines had Aristotle's *Politics*, but took no interest in what it said (Angelov 2007: 202–3). For the Muslims, the non-monarchical constitutions described in Plato and Aristotle were mere objects of curiosity. Republics and city-states were barely discussed as living constitutions. Both al-Farabi and Ibn Rushd reproduced Plato's sour comments about democracy: a free-for-all of individual power-brokers ('domination by households'), said Ibn Rushd, with no sense of reponsibility, and it would soon become tyranny (Black 2001: 123–4). (This may not be as far-fetched as it sounds.) Ibn Khaldun, on the other hand, did take non-monarchical society, in the form of tribalism, seriously; but he thought that the more successful tribal society becomes, the more it seeks not to replace, but to take over monarchy. Muslim authors presumably did not know how highly Aristotle had esteemed rule by the well-qualified few, or by a law-abiding populace. Albert the Great, on the other hand (writing only eighty years after Ibn Rushd, but in a milieu of flourishing city republics) acknowledged the merits of *democratia* (Black 2002: 83).

APPROACHES TO POLITICAL THOUGHT (CONTINUED)

Western political theory would not, as we saw in Chapter 6, have developed without the fresh start made in philosophical enquiry. This too began in the early twelfth century. The European revival of philosophy, and the long Renaissance, were never merely matters of book-learning. Already from the eleventh century and before, the impact of Rome was political as well as cultural: the merchants who created Europe's city-states saw in ancient Rome (as Bolgar puts it) 'their own prototypes'. Worldly success could now be accepted as spiritually satisfying. Cicero's picture of ancient Rome, of 'the public spirit, the profound good sense, the urbanity . . . [of] a life dignified by practical activity', and adorned by culture, 'opened men's eyes to the possibility of a culture based on the city-state' (Bolgar 1958: 138). Merchant-capitalists provided an alternative source of patronage.

In Islam, on the other hand, the renaissance of Greek thought was short-lived and made little impact. There were no city-states. Another factor may have been that, in contrast to ancient Greece and medieval Europe, seafaring, especially over long distances, was not generally regarded as desirable. The caliph Omar was alleged to have disapproved of it. Shipping in the Mediterranean was conducted almost entirely by Catalans and Italians (Hillenbrand 1997: 556–77). In Islamdon merchants were unable to function as effective patrons, because society remained dominated by a military aristocracy. 'All economic and high-cultural resources' were regarded 'as appanages of the chief military families.'[14]

The Gregorian revolution was the first European attempt to pattern power on an ideal model. Those who promoted it appealed to the Platonic principle that affairs on earth should be modelled on a heavenly exemplar. At the same time, it was becoming intellectually respectable to construct general principles out of legal texts, ruthlessly torn from their 'original context'. Parliaments, for example, were to be justified by a Roman-law text referring to wills: 'what concerns all should be discussed and approved by all' (Post 1964). This was not quite 'rationalism in politics' as we know it, nor was it utopian. The papal reformers thought that they were restoring what the Bible and earlier councils and popes prescribed. At the same time, however, Gregory and his supporters were quite convinced that what they were advocating was 'justice' *tout court* (and by the way, here is scriptural evidence to prove it). Papal sovereignty and the election of office-holders were presented as both rational and scriptural (or canonical). The constitutional principles which the Gregorians derived from the revealed texts were applied as absolute ideal standards.

One distinctive feature of European political thought from now on was the wide range of opinions defended and the variety of conclusions reached. The 'western tradition' is far from homogeneous; it is not a single set of ideas, but rather a long, disjointed series of clashes between viewpoints. This has, of course, instigated change.

All conceivable views on the relationship between church and state were considered. Monarchy, whether absolute or limited, various forms of oligarchy and democracy, were all presented as possibilities. All this, at a time when the Muslim world, while it was producing isolated geniuses such as Nasir al-Din Tusi (Black 2001: 145–53) and Ibn Khaldun, produced no new ideas for the organization of political society.

In empirical political science, it was different. No one in either Europe or Islamdom undertook empirical enquiry into political or social phenomena—until Ibn Khaldun. European academics produced commentary after commentary on Aristotle's *Politics* without once applying his method to their own environment. Ibn Khaldun was the more remarkable because his knowledge of Aristotle's *Politics* was slight. This meant that no one, not even Ibn Khaldun, shaped political norms so as to take account of the opportunities and limitations exposed by empirical research. The combination of theory and observation, though present in Aristotle and greatly developed by Ibn Khaldun, was not applied to the social sciences in Europe until the nineteenth century. Marx acheived something similar to Ibn Khaldun (see above, p. 109), combining empirical investigation with a new way of viewing and classifying social and political phenomena. But Ibn Khaldun's social analysis was the prelude to a restatement of the traditional theory of the caliphate; whereas Marx offered a political ideal that, if not new, was in its context revolutionary.

CONCLUSION

From the thirteenth century onwards, the political ideas expressed in Islam and the West differed more and more markedly, as thinkers from each milieu adapted their respective textual heritages and slanted them according to their own cultural preferences and their preferred political programmes. For some time yet, neither was strikingly more original than the other. Europe produced Marsilius and Ockham, Islam Ibn Khaldun. The enormous differences in constitutional practice and in popular and official ideology were not as yet reflected in philosophy.

The only exception was Marsilius. He was the first thinker in Europe, and perhaps in the world, to deduce a political schema from axioms based on observation, by means of syllogism and dialectic. This later became the dominant mode of political philosophy in the West. Marsilius was also the first to theorize the state as omnicompetent sovereign (an idea usually regarded by historians as characteristic of political modernity). In much of the Muslim world, on the other hand, the very idea of the state as holding

authority independently of religious personnel and criteria has still to be widely and sincerely accepted among whole populations.

The difference opening up between European and Islamic political philosophy by the fourteenth century becomes clearest in Marsilius' theory of democracy and Ockham's theory of human rights. Both were writing a generation before Ibn Khaldun; both—like him—generated out of their philosophical resources (which were almost identical with his) not only new ideas, but a whole new approach to politics. Yet Ibn Khaldun's theory of history was the frame for a conventionally authoritarian discourse on caliphate and kingship. If, as was suggested in Chapter 2, Marsilius took some of his ideas from Ibn Rushd, it is the more remarkable that, given the latter's curt dismissal of democracy, Marsilius went on to develop as compelling a case as has ever been made for government by consent of the people. This was partly a reflection of his experience in Italian city republics.

It is therefore somewhat surprising that no Muslim thinker used the natural origins of coercive authority to make a case for rule by consent of the people. This requires some explanation, but none has yet been offered. Sometimes it is better to be influenced than to influence: it portrays a more open mind. Nonetheless, it was Marsilius' fate, just as it was Ibn Khaldun's, to be ignored and largely forgotten even in his own culture. He was used by some conciliarists, but only selectively (Black 1979: 12–13). Henry VIII had him translated into English; Thomas Cromwell may have been interested in his idea of state sovereignty (*CMPT* 422 and n.). But no one paid attention to his magnificent attempt at grand theory, or to his arguments for popular sovereignty, until modern scholars excavated him.

The intellectual stagnation and decline of the Islamic world may have had something to do with the intertwining of religion and politics. For, if a ruler's legitimacy depends, especially in times of crisis, on his being approved by men of religion, and if they in turn see intellectual innovations as something which incur divine anger, then he must be seen to suppress such perceived deviations from true belief, to close down the means of intellectual enquiry, just as he must from time to time close down taverns and brothels. Both happened in the Ottoman empire. And it is easier to rebuild a brothel than an observatory. To have the legitimacy of the state based on something other than religion may, therefore, be necessary to intellectual development.

NOTES

1. Marsilius drew both on the church–state controversy and on Italian civic experience.
2. Echoed later, and perhaps unconsciously, by Winston Churchill:'one rule of conduct alone survives as a guide to men in their wanderings: fidelity to covenants, the honour of soldiers, and the hatred of causing human woe': *Marlborough, His Life and Times* (London: Harrap, 1947/1938), vol. 3–4, p. 993.
3. Rom. 2: 14; Irenaeus, ed. Bettenson 101; Origen, ibid. 199.
4. These held that 'a thing is good not because god has commanded it, but god has commanded it because it is good': Goldziher 1981: 91. This was the view later adopted by Aquinas. Ibn Rushd, similarly, followed Aristotle in saying that good and bad are defined by nature rather than by convention (Black 2001: 119; Al-Azmeh 1997: 216). It would obviously follow that good and bad can be known by non-Muslims, but Ibn Rushd does not explicitly say this.
5. Aquinas, ed. D'Entrèves, pp. 123–7; Coleman 2000: 182–5.
6. G. W. S. Barrow, *Robert the Bruce and the Community of the Realm in Scotland* (Edinburgh: Edinburgh University Press, 1976), 428.
7. Black 1992: 77, 143; *CMPT* 514; Skinner 1978: i. 78.
8. F. Rosenthal 1960. According to the French travelling merchant Chardin, Persians in the late seventeenth century 'know the value of liberty'; on hearing about the European legal system which 'protects the life and property of each against every sort of violence, they admire and envy the happiness of that land' (Voyages, v. 232, 236–7).
9. It is possible that an emphasis on individual rights was connected with Ockham's discoveries in logic and his nominalism. This has been much disputed. See McGrade 1974.
10. On science in this period, see A. C. Crombie, *Robert Grosseteste and the Origins of Experimental Science 1100–1700*. (Oxford: Clarendon Press, 1953).
11. Antony Black, *State, Community and Human Desire: A Group-centred Account of Political Values* (London: Wheatsheaf, and New York: St Martin's Press, 1988), 130–63.
12. Blythe 1992; Black 1992: 167–8.
13. Black 1992: 123, 133, 140; Skinner 1978: i. 72–9.
14. Hodgson 1974: i. 406. See Cahen 1977: 363.

9

Epilogue: The West, Islam, Russia

As late as the mid-sixteenth century European and Muslim political thought were still broadly comparable, European political thought still not exceptional. In retrospect, we can see that the component ideas of modernity were already in place: the rule of law, the ultimate sovereignty of 'the people', the contract between rulers and ruled. In Europe, derivation of power from god and from the people went together both before and after the Reformation. But there was as yet no grand political philosophy (except in Marsilius, who seems to have been all but forgotten). There was plenty of state sovereignty, but as yet no Bodin, no Hobbes. There was a culture of constitutionalism but no Locke; there was republicanism but no Rousseau.

After the Reformation, there was perpetual reinterpretation of scripture, and sustained philosophical and scientific enquiry to a degree unprecedented in both duration and scope, even in the ancient world. Men and women of energy entertained a wild variety of opinions, in religion and (perhaps as a consequence) in everything else. The result was, crucially, religious pluralism, first in the Netherlands, then in England, even for a while in France. States which suppressed religious pluralism stagnated and fell behind.

The domestic and international wars of religion which followed from the Reformation (and only present-day Iraq reminds us of how vicious they could be) forced people to look yet more earnestly for a secular basis for politics and the state. The development of modern political philosophy was facilitated by the temper and methods of science and philosophy. Conflicts between different parts of the body politic, and between people with different convictions about political justice and sovereignty, continued on into the twentieth century. These conflicts helped to drive a steady evolution of political ideas.

In the Muslim world there was virtually no political philosophy after Ibn Khaldun; only pale imitations of *falsafa*, and few of those (Black 2001: 215–17). Juristic thought remained bound by the old Consensus (ibid. 186–9). At the popular level there were regularly recurring movements for religious reform; some of these brought pressure on established governments, or even sought to replace them, like the Wahhabi revolt against the Ottomans in Arabia. This, not untypically, was based on a return to clan rule. One cannot say that any of these produced a political programme that was any different from the past.

The only signs of a new way of thinking were among the Ottoman reformers of the seventeenth century. These sought a recovery of former imperial power by a painstaking analysis of the root causes of social decay. They sought out the facts; they gathered and analysed statistics (Black 2001: 258–71). This owed something to Ibn Khaldun. Their recommendations, however, could hardly have been more traditional; they were, in fact, for the most part assertions that society and government should stop changing, reverse recent changes that had taken place, and conform more rigorously to the traditional order of classes and social values. So far as the state was concerned, they wanted a strong, reforming sultan who would listen to them. And that was all there was.

What is also striking is the lack of interest in the European world on the part of Muslims, until it was forced on their attention by Napoleon's conquest of Egypt. Several Europeans, on the other hand, wrote travelogues detailing their findings in Muslim lands; some of these are among our main sources of information for Iran and India in the seventeenth and eighteenth centuries.

One does not need to go further on in time in order to see that, from at least the seventeenth century onwards, the West and Islam were more different in their political cultures and values than they had ever been. The working-out of Abrahamic monotheism and Greek philosophy led to wholly different results in the two cultures. It was now as easy for a westerner to understand and admire the culture and values of Confucian China as it was for him to understand those of the Muslim world; and more did so. It is not necessary to engage in an exhaustive history of modern political theory in order to see this. We are fortunate that the history of western political thought from the seventeenth century to the present has been fully traversed more than once by scholars more able in this field than

the present author. The results confirm that what was now going on in the West had no counterpart in the Muslim world; and vice versa. Further comparisons are therefore unnecessary, and would have little meaning. This is not, of course, to say that western political thought has been or is all good, or that Muslim political thought is inferior by comparison. It is simply to say that comparison is out of place.

Byzantium passed on its particular ideology of sacred monarchy, embalmed in Orthodox Christianity, to Russia; which, with its vast plains, became a solitary, centralized empire. The ancient ideals and Eusebian ideology (above, p. 16) of Byzantium fitted it rather well. Political legitimacy derived from belief in the religious mission of the Russian state, 'the third Rome' (Obolensky 1971: 466–77). Political thought in the post-Byzantine world looked to tradition and glorified the tsar. Here too a strong ruler was seen as the solution, not (as, increasingly, in the West) the problem.

THE INFLUENCES OF THE WEST

Changes in political thought in Muslim-majority countries and Russia from the eighteenth century onwards came about as a result of contact with, interest in, and reaction to western ideas. It may be instructive to compare the kind of influence the West has had on Russians on the one hand, and on Muslims on the other. The new developments in Islamic political thought during the nineteenth and twentieth centuries have owed at least as much to earlier Islamic ideas as they have to western influence. New developments in Russian political thought over the past two centuries have been almost entirely due to western influence.

The West itself contained, as has been said, a diversity of ideas and ideologies. Western influence has not been confined to a single strand. We need to differentiate (at least) between liberal individualism, representative democracy, socialism, and nationalism. Liberal individualism was attractive not least because it secured the rights of individuals, including the right to private property under a rule of law. As in the West itself, it was usually, but not always, accompanied by the demand for representative government, which was generally seen as the best way of introducing and

maintaining individual rights and the rule of law. Individual rights and liberty were, in turn, seen by many as essential to economic progress, by making possible and encouraging an enterprise economy. Economic development was recsognized to be essential to political power in the modern world. Socialism was attractive mainly as offering the prospect of rapid and managed industrialization via state ownership.

The reception of western ideas started much earlier in Russia than it did in Islam. The Russians found it easier to learn from the west, partly because their religion was not so very different, but above all because Orthodox religious beliefs were not, in themselves, a barrier to borrowing from, and mingling freely with, those of another culture; especially one which, after all, was (or had been) Christian. The Russian imperial state began to become westernized under Peter the Great (r. 1694–1725) and Catherine the Great (r. 1762–96). They looked, in particular, to the Prussian model of benevolent despotism and a centralized bureaucracy.

Next, we find that Russia, to a greater degree than Muslim countries, began to replicate within herself some of the diversity and intellectual conflict that characterized western thought in Europe. Some Russian intellectuals, if at first relatively few, were attracted by the Enlightenment values associated with liberal individualism and democracy. But fairly soon socialism entered the fray, and was to prove peculiarly attractive, especially in its Marxist form. This was partly because it offered a total ideology which could be seen as capable of displacing Russian Orthodoxy—the main intellectual prop, it seemed, of autocracy—as an all-embracing belief-system capable of appealing to the masses. Arguments between liberals and socialists were as intense in Russia as they ever were in Europe, sometimes more so.

What we find in Russia, but not in the Muslim-majority world, is that debates which took place among Russian intellectuals, many of whom spent time in exile in Europe, became part of the general flow of European political discourse. This was most striking in the case of Marxism. With the Bolsheviks (from 1895), assimilation of Marxist socialism was taken to a point where it was transformed into a new political ideology. In Lenin and Trotsky Russia produced philosophical activists whose influence extended, for a while, far and wide. This brought something of Russia into the West, and also into China: secularized authoritarianism, a holistic,

all-or-nothing approach to politics. The flow of influence between Russia and Europe became two-way, at least for a time. This was never so in the case of the Muslim reception and adaptation of western political values and thought.

Moreover, the western ethos of political dialogue and speculative adventuresomeness took hold on Russian intellectual culture itself. This led to a proliferation of yet more new writings and movements, in which one can clearly see not just an imitation of the West, but a development of ideas which owed something special to Russian culture itself. This was especially noticeable in anarchist thought.[1] Thus, the late nineteenth century saw a Russian renaissance comparable in creative force to that of Europe some five centuries earlier. Some of these quasi-Russian political ideas have been of only academic interest outside Russia. But then there is Tolstoy, whose religio-political ideas have, through Gandhi, made an impact upon India and beyond.

In Muslim countries, by contrast, the new ideas that were developed, more often in reaction to the West than in dialogue with it, spread all over those regions where Muslims lived in large numbers, but never beyond, and never among non-Muslims. Recent political thinking by Muslims has remained within the Muslim cultural context, and seems to have little attraction or meaning outside it.

But, unlike Europe during its renaissance period, there was also a reaction in Russia against this intrusion of alien thought, and an attempt to reassert specifically Russian social values. This was largely the work of religious thinkers who saw the Russian national ethos, and above all Russian Orthodox Christianity, as providing the basis for a political ideology based on higher moral values. The West was criticized for having abandoned its religious faith.[2] Muslim thinkers developed the same sort of arguments, only much more forcefully, in the name of Islam.

The relationship between western and Muslim political thought has in fact been quite different. Whatever came from the West was, prima facie, the work of infidels, whether Christians or (far worse) atheists. Many Muslim intellectuals in the late ninteenth century, nonetheless, got round this by arguing that the European political ideas and practices they so admired were in fact the result of European borrowing from Islam during the Middle Ages. There was, as we have seen, very little truth in this. The

Young Ottomans held that individual liberty and rights, constitutional government and representative democracy, were what Islam had originally prescribed, but had subsequently lost sight of. Theirs was, therefore, an argument for a return to pristine ideals and practices which had been overlaid by centuries of corruption and despotism, political quietism and apathy. To undergo western influence was, according to such thinkers, to rediscover true political Islam. These were both westernizers and revivalists, going back to the sources of revelation. Namik Kemal (1840–88) observed, for example, that the sovereignty of the people 'in the technical language of the [Shari'a] is called *bay'a* (contract)'. What they presented themselves as advocating were the values and constitutional arrangements prescribed by original Islam and currently practised in European states (Lewis 1968).

Thus, Muslim westernizers differed from their Russian counterparts in insisting, almost without exception, that the 'modern' political ideals they were advocating—democracy, the rule of law, liberalism, or (somewhat later) socialism—were founded on Islamic values. At the same time, they were very much less inclined than Russian—or indeed western—intellectuals to abandon their religious beliefs.[3] In this respect there is some continuity between nineteenth-century Muslim liberals and twentieth-century Muslim fundamentalists. The Young Ottomans, for example, insisted that the decisions of a democratic majority have to be reconciled with the moral law as taught by Islam. 'In Islam the good and the bad are determined by the [Shari'a] which is the expression of the abstract good and the ultimate criterion of truth' (Namik Kemal, in Black 2001: 294). This was equated with western natural law. Similarly, a fundamentalist like Mawdudi (1903–79) could say that, rather than accepting western ideas wholesale, Muslims must discover their own 'middle way', distinguishing what is right and what is wrong in capitalism, socialism, fascism, and Communism (Tripp 2006). It could be an early twentieth-century pope speaking.

Fascism has influenced both secular and religious movements in areas of Muslim majority, for example Turkey, the Ba'ath party in Iraq and Syria, and also fundamentalism (especially in the case of Sayyid Qutb) (Black 2001: 321–3).

Fundamentalist political thinkers have maintained certain features of earlier Muslim political thought that are quite alien to western thought and

cannot be reconciled with it. Popular sovereignty always comes second to the sovereignty (*al-hakimiyya*: absolute rulership) of god.[4] This tends to empower whoever is deemed to speak on behalf of god and the Quran, so that they can override the democratic process at every turn. The legitimacy of a government depends entirely upon those in power being of the correct religious persuasion. Any elected assembly must consist of representatives with moral qualities and intellectual opinions that are acceptable on religious grounds. Yet one finds something slightly similar in the moral and intellectual criteria for representative office suggested by a John Stuart Mill or a T. S. Eliot.[5] In the Muslim case, however, this means that elected representatives have to be subordinate to a self-appointed religious elite.

Finally, there is an unwillingness to be specific about the form of government or other constitutional matters, which, in the view of Qutb, are 'a matter of indifference' (Moussalli 1992: 162–3). One relies instead, once again, on the faith and virtue of political actors. Checks on power are unimportant so long as the Shari'a is upheld.[6]

CONCLUSION

Russia and the Muslim-majority world have absorbed a good deal of western political culture and ideology. Their originality in the modern world lies precisely in the way in which they have adapted western ideas and mixed them with their own traditions. Muslims had less influence outside their own cultural sphere. This is large and diverse enough within itself; original Muslim theorists, like the fundamentalist Sayyid Qutb, have exercised influence from one end of it to the other. So far as I am aware, the only modern political thinker from the Muslim world who has had influence beyond that world is Frantz Fanon.[7] One may, indeed, ask whether either Russia or Islam now have anything to offer people outside their own cultures. So much for the political legacy of Abrahamic monotheism and its 'great' religions.

Europe, and since 1919 America, have been passing on to the wider world, beginning with Russia, their political endowments, both institutional and ideological. But one may ask whether what the West was passing

on was not in fact something which it itself had received from ancient Greece and Rome. Democracy, republicanism, and liberty were all inherited by Europe, along with philosophy, science, and much else, from classical antiquity. Are the sole original contributions of Europe, then, socialism and nationalism? Is it the way of the Greeks that is now being propagated world-wide?

Europe and North America have made their own contributions to both democracy and liberty, by developing representative democracy and federalism respectively. And England stumbled upon the two-party system, along with toleration of political enemies, thanks to liberal Protestantism.[8] These, the history of both ancient Rome and modern states demonstrates, are what make democracy possible and sustainable. But the diffusion of 'liberal democracy' may be, after all, the diffusion of a Greek invention.[9]

The one unquestionably European and North American contribution to liberal democracy—the dominant political philosophy and ideology of today—is, rather, the decoupling of the state from religion. Neither Greece nor Rome achieved, or even attempted, this. The separation of politics from religion leaves behind it a host of problems—of identity, core values, how to maintain communal decency. But it is surely necessary if there is to be freedom of expression and belief.

NOTES

1. Tony Burns, 'Zamyatin's *We* and Postmodernism', *Utopian Studies*, 11: 1 (2000), 65–90.
2. Fyodor Dostoevsky, *The Pushkin Speech* (1880) (London: Unwin, 1960).
3. I know of no attempt, satisfactory or otherwise, to explain this. One would have thought it was a prime case for comparative sociology.
4. Ayubi 1991: 66; Rashid Rida, in Gardet 1981: 128–31; Enayat 1982: 136; the Muslim Brethren, in *EI* iii. 1070b.
5. J. S. Mill, *Representative Government* (1861), ch. 7; T. S. Eliot, *The Idea of a Christian Society* (London: Faber & Faber, 1939).
6. Choueiri 1997: 154; V. S. Naipaul, *Among the Believers* (Harmondsworth: Penguin, 1981), 87, 331; R. P. Mitchell, *The Society of Muslim Brothers* (Oxford: Oxford University Press, 1969), 245.

7. Frantz Fanon, *The Wretched of the Earth*, tr. C. Farrington (Harmondsworth: Penguin, 1967 (1961)); Irene. L. Gendzier, *Frantz Fanon: A Critical Study* (New York: Pantheon, 1972).
8. 'The establishment of liberty was . . . the result of the balance of political parties and religious sects, compelled to tolerate one another' (Trevelyan 1934: 321).
9. Christian Meier, *The Greek Discovery of Politics*, tr. David McLintock (Cambridge, Mass.: Harvard University Press (1990/1980).

Appendix: Marsilius and Ibn Rushd

Ibn Rushd's *Commentary on Plato's Republic* survived only in the Hebrew translation by Samuel b. Yehuda. The original Arabic version is lost; such was the interest in Greek political thought in the Muslim world by this time. Samuel b. Yehuda completed his translation at or near Beaucaire (an important trading port on the Rhone) on 9 February 1321.[1] Marsilius may have been in Avignon, quite close to Beaucaire, in 1316–18. He is mentioned in a letter of Pope John XXII (29 April 1319) 'as having been sent by [Matteo Visconti of Milan] and Can Grande [della Scala of Verona] to Count Charles of La Marche'.[2] From 1319 or 1320 till 1325 or 1326 he lived in Paris, probably teaching in the Arts faculty; it was there that he wrote the *Defender of the Peace*, which was finished in 1324 (*DP* II, 24. 17).

Marsilius had been trained as a physician at Padua; during the rest of his academic life he taught philosophy and science ('natural philosophy'). He was associated with those who, like his teacher and friend John of Jandun, followed the interpretation of Aristotle by Ibn Rushd (Averroes)—the school of thought known as 'Latin Averroism'. For all of these reasons relating to his milieu and career, it is at least possible that he would have known whatever nuggets of Muslim and Jewish thought were in circulation, both through the actual transmission of whole works, and embedded in medical works or florilegia.[3] As something of a dissident, he would have been more likely than most to have conversed with Jews. There is, therefore, some basis for thinking that he *could* have known about and read the translation of Ibn Rushd's *Commentary on Plato's Republic* by Samuel b. Yehuda, completed just four years before he completed his *Defender of the Peace*. He may also have known al-Farabi's *Commentary on Aristotle's Nicomachean Ethics* (Quillet 1979: 100).

NOTES TO APPENDIX

1. Quillet 1979: 90, 100; M. Steinschneider, *Die hebräische Übersetzungen des Mittelalters und die Juden als Dolmetscher* (Berlin, 1893; repr. Graz, 1956), 217; Lawrence V. Berman, 'Ibn Rushd's Middle Commentary on the *Nicomachaean Ethics* in Medieval Hebrew Literature', in *Multiple Averroes*

1978: 295–8. Ibn Rushd's *Commentary on the Nicomachaean Ethics* was translated into Latin at Toledo, finished 3 June 1260.

2. Gewirth 1951: 20–1; Quillet, in *CMPT* 680; E. Lewis 1954: i. 69–70.
3. Research remains to be done on this means of transmission of political ideas from Islamdom to Europe. I would like to thank participants at the conference on the Greek Element in Islamic Political Thought at the Institute of Advanced Studies, Princeton, in June 2003, organized by Patricia Crone, for their discussion and illuminating comments on this whole question.

Bibliography

Primary sources

(In the Bibliography, Arabic names beginning al- are listed under the next part of the name.)

Aquinas, St Thomas, *Selected Political Writings*, ed. A. P. D'Entrèves (Oxford: Blackwell, 1954).

Augustine, St *De civitate dei (The City of God)*, ed. Dombart and Kalb, *Corpus Christianorum*, vols. 47–8, tr. R. W. Dyson (Cambridge: Cambridge University Press, 1998). = *CD*

Barani, Dhiya' al-din, *Fatawa-yi Jahandari*, tr. in Mohammed Habib, *The Political Theory of the Delhi Sultanate* (Allahabad: Kitab Mahal, n.d.).

Barker, Ernest, *From Alexander to Constantine: Passages and Documents Illustrating the History of Social and Political Ideas 336* bc–ad *337* (Oxford: Oxford University Press, 1956). = EB

—— *Social and Political Thought in Byzantium from Justinian I to the Last Palaeologus* (Oxford: Clarendon Press, 1957). = EBa.

Bettenson, H., ed. and tr., *The Early Christian Fathers* (Oxford: Oxford University Press, 1956).

Chardin, Jean, *Voyages en Perse*, ed. L. Langlès, 10 vols. (Paris: Le Normant, 1811).

Cyprian, St., *Epistolae* (*Letters*), ed. W. Hartel, *CSEL*, vol. 3, pt. 2 (Vienna: Boehlau, 1871).

Dante Alighieri, *De monarchia*, ed. P. G. Ricci (Milan: Mondadori, 1956); tr. Donald Nicholl, *Monarchy* (London: Weidenfeld & Nicolson, 1954).

Early Christian Writings: The Apostolic Fathers, tr. M. Staniforth (Harmondsworth: Penguin 1968). = *ECW*

Ehler, Sidney Z. and Morrall, John B., ed. and tr., *Church and State Through the Centuries* (London: Burns & Oates, 1954). = EM

al-Farabi, *The Virtuous City* (*On the Principles of the Views of the Inhabitants of the Excellent State*), ed. and tr. R. Walzer, *Al-Farabi on the Perfect State: Abu Nasr al-Farabi's al-madina al-fadila* (Oxford: Oxford University Press, 1985). = *VC*

—— *On the Achievement of Happiness (Tahsil al Sa'adah)*, tr. Muhsin Mahdi: LM 58–82.

—— *The Governance of the State* (*The Political Regime*) (*al-siyasa al-madaniyya*), tr. Fauzi M. Najjar: LM 31–57.

AL-GHAZALI, *Revival*, book 1, tr. N. A. Faris as *The Book of Knowledge* (Lahore: M. Ashraf, 1962).

GREGORY, VII, Pope, *Registrum*, ed. Erich Caspar, in *Monumenta Germaniae Historica: Epistolae Selectae*, 2 vols. (Berlin: Weidmann, 1955). = *Reg.*

HAJIB, YUSUF KHASS, *Wisdom of Royal Glory (Kutadgu Bilig): A Turko-Islamic Mirror for Princes*, tr. R. Dankoff (Chicago: University of Chicago Press, 1983).

IBN KHALDUN, *Prolegomena (Muqaddima)*, ed. Quatremère, 3 vols. (Paris, 1858); tr. Franz Rosenthal, *Ibn Khaldun: The Muqaddimah, an Introduction to History*, 3 vols., rev. edn. (Princeton: Princeton University Press, 1967); abridged by N. J. Dawood (London: Routledge & Kegan Paul, 1967). References are to the Dawood edition unless otherwise stated.

IBN MUQAFFA', *Message (Risala fi'l-sahaba)*, ed. and tr. Charles Pellat, *Ibn al-Muqaffa', mort vers 140/757, conseilleur du Calife* (Paris: Maisonneuve & Larose, 1976).

IBN RUSHD (Averroes), *Commentary on Aristotle's Nicomachaean Ethics* (Venice 1560; repr. Frankfurt, 1962); partial tr. Lawrence V. Berman, 'Ibn Rushd's Middle Commentary on the Nicomachaean Ethics in Medieval Hebrew Literature', in *Multiple Averroes* (Paris: Les Belles Lettres, 1978), 287–321.

—— *Commentary on Plato's Republic*, ed. and tr. Ralph Lerner, *Averroes on Plato's Republic* (Ithaca, NY: Cornell University Press, 1974); also tr. E. I. J. Rosenthal, *Averroes' Commentary on Plato's Republic* (Cambridge: Cambridge University Press, 1966). References are to the Lerner translation unless otherwise stated.

IBN SINA, *Healing (al-Shifa), Metaphysics X*, chs. 2–5, tr. M. E. Marmura: LM 98–111.

AL-JAHIZ, *Le Livre de la Couronne: Kitab al-Taj attributé à Gahiz*, tr. Charles Pellat (Paris: Les Belles Lettres, 1954).

—— *The Life and Works of Jahiz: Translations of Selected Texts*, by Charles Pellat (Berkeley: University of California Press, 1969).

KHAYR AL-DIN AL-TUNISI, *The Surest Path: The Political Treatise of A Nineteenth-century Muslim Statesman*, tr. Leon Carlos Brown (Cambridge, Mass.: Harvard University Press, 1967).

KOCI BEG *Risale* (*Epistle*), tr. W. F. A. Bernhauer, 'Kogabeg's Abhandlung', *Zeitschrift der Deutsche Morgenländische Gesellschaft*, 15 (1861): 272–332.

LERNER, RALPH and MAHDI, MUHSIN, *Medieval Political Philosophy: A Sourcebook* (New York: Free Press, 1963). = LM

LEWIS, EWART, *Medieval Political Ideas*, 2 vols. (London: Routledge & Kegan Paul, 1954).

Marsilius of Padua, *Defensor Pacis*, ed. C. W. Previté-Orton (Cambridge: Cambridge University Press, 1928), ed. and tr. Annabel Brett (Cambridge: Cambridge University Press, 2005); also tr. Alan Gewirth, *Marsilius of Padua*, vol. 2: *The Defensor Pacis* (New York: Columbia University Press, 1956).

al-Mawardi, *The Ordinances of Government*, tr. Wafaa H. Wahba (Reading: Garnet, 1996).

Mustafa 'Ali, *Counsel for Sultans*, tr. Andreas Tietze (Vienna: Verlag der österreichischen Akademie der Wissenschaften, 1979–82).

Nasir al-Din Tusi, *The Nasirean Ethics*, tr. G. M. Wickens (London: Allen & Unwin, 1964).

Nizam al-Mulk (attrib.), *Rules for Kings* (*Siyar al-muluk*; also known as *Book of Government: siyasat-nama*), tr. H. Darke, *The Book of Government of Nizam al-Mulk*, 2nd edn. (London: Routledge & Kegan Paul, 1978).

John Quidort of Paris, *De potestate regia et papali*, ed. J. Leclerq (Paris: Vrin, 1942); tr. J. A. Watt, *On Royal and Papal Power* (Toronto: Pontifical Institute of Medieval Studies, 1971).

al-Shafi'i, *Islamic Jurisprudence: Shafi'i's Risala*, tr. Majid Khadduri (Baltimore: Johns Hopkins University Press, 1961).

The Sea of Precious Virtue (Bahr al-Fava'id): A Medieval Islamic Mirror for Princes, ed. and tr. J. S. Meisami (Salt Lake City: Utah University Press, 1991). = SPV

Secretum Secretorum, ed. Robert Steele (Oxford: Clarendon Press, 1920) (Latin and English translations).

Stevenson, J., ed., *A New Eusebius: Documents Illustrative of the History of the Church to* AD *337* (London: SPCK, 1957).

'Tansar', The Letter of Tansar, tr. M. Boyce, Istituto italiano per il medio ed estremo oriente: Serie Orientale Roma, 38 (Rome, 1968).

Tierney, Brian, *The Crisis of Church and State 1050–1300, with Selected Documents* (Engelwood Cliffs, NJ: Prentice-Hall, 1964). = BT

Wali Allah al-Dihlawi, Shah, *Conclusive Argument from God (Hujjat Allah al-Baligha)*, tr. M. K. Hermansen (Leiden: Brill, 1996).

Secondary sources

Anastos, M. V., 'Byzantine Political Theory: Its Classical Precedents and Legal Embodiments', in *Aspects of the Mind of Byzantium* (London: Ashgate, 2001), I. 1–33.

Angelov, Dimiter G., *Imperial Ideology and Political Thought in Byzantium* (Cambridge: Cambridge University Press, 2007).

Arjomand, Said Amir, *The Shadow of God and the Hidden Imam: Religion, Political Order and Societal Change in Shi'ite Iran from the Beginning to 1890* (Chicago: Chicago University Press, 1984).

Arnold, Thomas W., *The Caliphate* (Oxford: Clarendon Press, 1924).

Arquillière, H.-X., *L'Augustinisme politique: essai sur la formation des théories politiques du moyen-âge* (Paris: Vrin 1934).

Ayubi, Nazih, *Political Islam: Religion and Politics in the Arab World* (London: Routledge, 1991).

al-Azmeh, Aziz, *Muslim Kingship: Power and the Sacred in Muslim, Christian, and Pagan Polities* (London: I. B. Tauris, 1997).

Badie, Bertrand, *Les Deux États: Pouvoir et Société en Occident et en terre d'Islam* (Paris: Fayard, 1986).

Barker, Ernest, *Social and Political Thought in Byzantium from Justinian I to the Last Palaeologus* (Oxford: Clarendon Press, 1957). = EBa.

Berges, W., *Die Fürstenspiegel des hohen und späten Mittelalters* (Stuttgart: Hiersemann, 1938).

Berkes, Niyazi, *The Development of Secularism in Turkey* (Montreal: McGill University Press, 1964).

Berman, Harold J., *Law and Revolution: The Formation of the Western Legal Tradition* (Cambridge, Mass.: Harvard University Press, 1983).

Beumann, Helmut, 'Zur Entwicklung transpersonaler Staatsvorstellungen', *Vorträge und Forschungen*, 3 (1965): 185–224.

Binder, Leonard, *Islamic Liberalism: A Critique of Development Ideologies* (Chicago: Chicago University Press, 1988).

Black, Antony, *Monarchy and Community* (Cambridge: Cambridge University Press, 1970).

—— *Council and Commune* (London: Burns & Oates, 1979).

—— *Political Thought in Europe 1250–1450* (Cambridge: Cambridge University Press, 1992).

—— 'Classical Islam and Medieval Europe: A Comparison of Political Philosophies and Cultures', *Political Studies*, 41 (1993*a*): 58–69.

—— 'The Juristic Origins of Social Contract Theory', *History of Political Thought*, 14 (1993*b*): 57–76.

—— 'Individuals, Groups and States: A Comparative Overview', in Janet Coleman, ed., *The Individual in Theory and Practice* (Oxford: Clarendon Press, 1996), 329–40.

—— 'Christianity and Republicanism from St Cyprian to Rousseau', *American Political Science Review*, 91 (1997*a*): 647–56.

—— 'Decolonization of Concepts', *Journal of Early Modern History: Contacts, Comparisons, Contrasts*, 1 (1997*b*): 55–69.

Black, Antony, *The History of Islamic Political Thought from the Prophet to the Present* (Edinburgh: Edinburgh University Press, 2001).

—— *Guild and State: European Political Thought from the Twelfth Century to the Present* (New Brunswick, NJ: Transaction, 2002/1984).

Bloch, M., *Feudal Society*, tr. L. Manyon (London: Routledge & Kegan Paul, 1961/1940).

Blythe, J. M., *Ideal Government and the Mixed Constitution in the Middle Ages* (Princeton: Princeton University Press, 1992).

Bolgar, R. R., *The Classical Heritage and its Beneficiaries* (Cambridge: Cambridge University Press, 1958).

Bosworth, C. E., *The Ghaznavids: Their Empire in Afghanistan and Eastern Iran, 994–1040* (Edinburgh: Edinburgh University Press, 1963).

Brett, Annabel, *Liberty, Right and Nature: Individual Rights in Later Scholastic Thought* (Cambridge: Cambridge University Press, 1997).

Brown, Peter, 'Society and the Supernatural: A Medieval Change', *Daedalus*, 104 (1975): 133–51.

—— *The Body and Society: Men, Women and Sexual Renunciation in Early Christianity* (London: Faber & Faber, 1988).

Brunschvig, R. and Grunebaum, G. E. von, eds., *Classicisme et déclin culturelle dans l'histoire d'Islam* (Paris: Maisonneuve & Larose, 1977).

Bulliet, Richard W., *Islam: The View from the Edge* (New York: Columbia University Press, 1994).

Bynum, C. W., 'Did the Twelfth Century Discover the Individual?', *Journal of Ecclesesiastical Hist*ory, 31 (1980): 1–17.

Cahen, Claude, *Les Peuples musulmanes dans l'histoire medieval* (Damascus, 1977).

The Cambridge History of Iran, vol. 3: *The Seleucid, Parthian and Sasanian periods*, ed. Ershin Yarshater (Cambridge: Cambridge University Press, 1983). = *CHI* iii.

—— vol. 4: *The Period from the Arab Invasions to the Saljuqs*, ed. R. N. Frye (Cambridge: Cambridge University Press, 1975). = *CHI* iv.

The Cambridge History of Medieval Political Thought c.350–c.1450, ed. J. H. Burns (Cambridge: Cambridge University Press). = *CMPT*

Cameron, Averil, *Christianity and the Rhetoric of Empire: The Development of Christian Discourse* (Berkeley: University of California Press, 1991).

Cameron, Euan, *The European Reformation* (Oxford: Clarendon Press, 1991).

Campenhausen, Hans von, *Ecclesiastical Authority and Spiritual Power in the Church of the First Three Centuries*, tr. J. Barker (Stanford, Calif.: Stanford University Press, 1969/1953).

Canning, Joseph, *A History of Medieval Political Thought 300–1450* (London and New York: Routledge, 1996).

Carlyle, R. W. and A. J., *A History of Medieval Political Theory in the West*, 6 vols. (Edinburgh: Wm. Blackwood, 1962).

Chamberlain, Michael, *Knowledge and Social Practice in Medieval Damascus, 1190–1350* (Cambridge: Cambridge University Press, 1994).

Cheyette, F. L., 'The Invention of the State', in B. L. Lackner and K. R. Phelps, eds., *Essays in Medieval Civilization* (Austin, Tex.: University of Texas Press, 1978), 48–80.

Choueiri, Youssef M., *Islamic Fundamentalism*, rev. edn. (London: Pinter, 1997).

Cohn, Norman, *The Pursuit of the Millenium: Revolutionary Millenarians and Mystical Anarchists of the Middle Ages* (London: Secker & Warburg, 1957).

Coleman, Janet, 'Dominium in Thirteenth- and Fourteenth-century Political Thought and its Seventeenth Century Heirs', *Political Studies*, 33 (1985): 73–100.

——*A History of Political Thought from the Middle Ages to the Renaissance* (Oxford: Blackwell, 2000).

Cook, M. A., *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2000).

Crone, Patricia, *Slaves on Horses: The Evolution of the Islamic Polity* (Cambridge: Cambridge University Press, 1980).

—— 'The Tribe and the State', in J. A. Hall, ed., *The State in History* (Oxford: Oxford University Press, 1986), 177–210.

——*Medieval Islamic Political Thought* (Edinburgh: Edinburgh University Press, 2004).

——and Cook, Michael, *Hagarism: The Making of the Islamic World* (Cambridge: Cambridge University Press, 1977).

——and Hinds, Martin, *God's Caliph: Religious Authority in the First Centuries of Islam* (Cambridge: Cambridge University Press, 1986).

Dagron, G., *Emperor and Priest: The Imperial Office in Byzantium* (Cambridge: Cambridge University Press, 2003).

d'Alverny, M.-Th., *La Transmission des textes philosophiques et scientifiques au moyen âge* (London: Ashgate, 1994).

de Fouchécour, C.-H., *Moralia: les notions morales dans la litterature persane du 3e/9e au 7e/13e siècles* (Paris: Éditions recherche sur les civilisations, 1986).

Duby, Georges, *The Three Orders: Feudal Society Imagined*, tr. Arthur Goldhammer (Chicago: University of Chicago Press, 1980).

Durkheim, Émile, *The Division of Labour in Society*, tr. W. D. Halls (Basingstoke: Macmillan, 1984/1902).

——*The Elementary Forms of Religious Life*, tr. K. E. Fields (New York: Free Press, 1995/1912).

Dvornik, Francis, *Christian and Byzantine Political Philosophy*, 2 vols. (Washington, DC: Dumbarton Oaks Centre for Byzantine Studies, 1966) .

Ehlers, Joachim, 'Grundlagen der europäischen Monarchie in Spätantike und Mittelalter', *Majestas*, 8–9 (2000–1): 49–80.

Enayat, Hamid, *Modern Islamic Political Thought* (London: Macmillan, 1982).

Encyclopaedia of Islam, 2nd edn., ed. H. A. R. Gibb *et al.* (Leiden, Brill, 1960–96). = *EI*

Erdmann, Carl, *The Origin of the Idea of Crusade*, tr. M. Baldwin *et al.* (Princeton: Princeton University Press, 1977/1935).

Fakhry, Majid, *A History of Islamic Philosophy*, 2nd edn. (New York: Columbia University Press, 1983).

Fleischer, Cornell H., *Bureaucrat and Intellectual in the Ottoman Empire: The Historian Mustafa 'Ali (1541–1600)* (Princeton: Princeton University Press, 1986).

Fowden, Garth, *Empire to Commonwealth: Consequences of Monotheism in Late Antiquity* (Princeton: Princeton University Press, 1993).

Friedeburg, Robert von, ed., *Murder and Monarchy* (London: Palgrave, 2004).

Gannagé, E., *et al.* (eds.), *The Greek Strand in Islamic Political Thought* (Beirut: Mélanges de l'Université de Saint Joseph, 2004).

Gardet, Louis, *La Cité musulmane: vie sociale et politique* (Paris, Vrin, 1981).

Geary, Patrick J., *The Myth of Nations: The Medieval Origins of Europe* (Princeton: Princeton University Press, 2002).

Gewirth Alan, *Marsilius of Padua: The Defender of the Peace*, vol. 1: *Marsilius of Padua and Medieval Political Philosophy* (New York: Columbia University Press, 1951).

Gibb, H. A. R., *Studies on the Civilization of Islam* (Princeton, NJ: Princeton University Press, 1962).

Gierke, Otto von, *Community in Historical Perspective*: *A Translation of Selections from 'Das Deutsche Genossenschaftsrecht'*, tr. Mary Fischer, selected and ed. Antony Black (Cambridge: Cambridge University Press, 1990/1868).

Gimpel, Jean, *The Medieval Machine: The Industrial Revolution of the Middle Ages*, 2nd edn. London: Gollancz, 1976).

Glassen, E., *Der mittlere Weg: Studien zur Religionspolitik und Religiosität der späteren 'Abbasiden-Zeit* (Wiesbaden: F. Steiner, 1981).

Goitein, S. D., *Studies in Islamic History and Institutions* (Leiden: Brill, 1966).

Goldziher, Ignaz, *Muslim Studies*, ed. S. M. Stern, vol. 2 (Chicago: Aldine & Atherton, 1971).

—— *Introduction to Islamic Theology and Law* (Princeton: Princeton University Press, 1981).

Goody, Jack, *The Development of the Family and Marriage in Europe* (Cambridge: Cambridge University Press, 1983).

Grunebaum, G. E. von, *Medieval Islam: A Study in Cultural Orientation*, 2nd edn. (Chicago: Chicago University Press, 1953).

Guichard, P., *Structures sociales 'orientales' et 'occidentales' dans l'Espagne musulmane* (Paris: Mouton, 1977).

Guillaume, Alfred, *Islam*, 2nd edn. (Harmondsworth: Penguin, 1956).

—— *The Traditions of Islam: An Introduction to the Study of the Hadith Literature* (Beirut: Khayali, 1966).

Haldon, J. F., *Byzantium in the Seventh Century: The Transformation of a Culture* (Cambridge: Cambridge University Press, 1991).

Halm, Heinz, *Shiism* (Edinburgh: Edinburgh University Press, 1991).

Hampsher-Monk, Iain, *A History of Modern Political Thought: Major Political Thinkers from Hobbes to Marx* (Oxford: Blackwell, 1992).

Hartmann, A., *An-Nasr li-Din Allah (1180–1225): Politik, Religion, Kultur in der späteren 'Abbasidenzeit* (Berlin: de Gruyter, 1975).

Heyd, Uriel, *Studies in Old Ottoman Criminal Law*, ed. V. L. Menage (Oxford: Clarendon Press, 1973).

Hillenbrand, Carole, 'Islamic Orthodoxy or *Realpolitik*? Al-Ghazali's View of Government', Iran 26 (1988): 81–93.

—— *The Crusades: Islamic Perspectives* (Edinburgh: Edinburgh University Press, 1997).

Hodgson, Marshall G. S., *The Venture of Islam: Conscience and History in a World Civilization*, 3 vols. (Chicago: Chicago University Press, 1974).

Hourani, Albert, *Arabic Thought in the Liberal Age, 1798–1939*, 2nd edn. (Cambridge: Cambridge University Press, 1983).

Inalçik, Halil, 'Suleiman the Lawgiver and Ottoman Law', *Archivum Ottomanicum*, 1 (1969): 105–36.

—— *The Ottoman Empire: The Classical Age, 1300–1600* (London: Weidenfeld & Nicolson, 1973).

Jolivet, Jean, 'The Arabic Inheritance', in P. Dronke, ed., *A History of Twelfth-century Western Philosophy* (Cambridge: Cambridge University Press, 1988).

Jones, A. H. M., *The Decline of the Ancient World* (London: Longman, 1966).

Jones, E. L., *The European Miracle*, 2nd edn. (Cambridge: Cambridge University Press, 1987).

Kantorowicz, E. H., *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton: Princeton University Press, 1957).

KEDDIE, N. R., 'Symbol and Sincerity in Islam', *Studia Islamica*, 19 (1963): 27–64.
KEEN, MAURICE, *Chivalry* (New Haven: Yale University Press, 1984).
KERN, F., *Kingship and Law in the Middle Ages*, tr. S. B. Chrimes (Oxford: Blackwell, 1968).
KERR, MALCOM H., *Islamic Reform: The Political and Legal Theories of Muhammad Abduh and Rashid Rida* (Berkeley: University of California Press, 1966).
KRAEMER, JOEL L., *Humanism in the Renaissance of Islam*, 2nd edn. (Leiden: Brill, 1992).
LACOSTE, Y., *Ibn Khaldun: naissance de l'histoire du tiers-monde* (Paris: E. Maspero, 1966).
LAMBTON, ANN K. S., *Theory and Practice in Medieval Persian Government* (London: Ashgate, 1980).
——*State and Government in Medieval Islam: An Introduction to the Study of Islamic Political Thought: The Jurists* (Oxford: Oxford University Press, 1981).
La Notion de la liberté au moyen âge: Islam, Byzance, Occident (Paris: Les Belles Lettres, 1985).
LAOUST, HENRI, *Essai sur les doctrines sociales et politiques d'Ibn Taymiyya* (Cairo: Institut Français d'Archéologie Orientale, 1939).
——*La Politique de Gazali* (Paris: Libraire Orientaliste, 1970).
LEAMAN, OLIVER, *An Introduction to Medieval Islamic Philosophy* (Cambridge: Cambridge University Press, 1985).
LEWIS, BERNARD, *The Emergence of Modern Turkey*, 2nd edn. (Oxford: Oxford University Press, 1968).
——*The Political Language of Islam* (Chicago: University of Chicago Press, 1988).
LEWIS, EWART, *Medieval Political Ideas*, 2 vols. (London, Routledge & Kegan Paul, 1954).
LEYSER, K. J., *Medieval Germany and its Neighbours* (London: Hambledon Press, 1982).
——*Communications and Power in Medieval Europe: The Gregorian Revolution and Beyond* (London: Hambledon Press, 1994).
LLOYD, G. E. R., *Magic, Reason and Experience* (Cambridge: Cambridge University Press, 1979).
LOPEZ, ROBERT S., *The Commercial Revolution of the Middle Ages 950–1350* (Cambridge: Cambridge University Press, 1976).
MCCLELLAND, J. S., *A History of Western Political Thought* (London: Routledge, 1996).
MACFARLANE, A., *The Origins of English Individualism* (Oxford: Blackwell, 1978).
MCGRADE, A. C., *The Political Thought of William of Ockham* (Cambridge: Cambridge University Press, 1974).

McKitterick, Rosamund and Marenbon, John, 'Philosophy and its Background in the Early Medieval West', in Marenbon, ed. (1998): 96–119.

McLellan, David, *The Thought of Karl Marx: An Introduction*, 3rd. edn. (London: Macmillan, 1995).

Mahdi, Muhsin, *Ibn Khaldun's Philosophy of History* (London: Allen & Unwin, 1957).

Makdisi, George, *The Rise of Colleges: Institutions of Learning in Islam and the West* (Edinburgh: Edinburgh University Press, 1981).

—— *The Rise of Humanism in Classical Islam and the Christian West* (Edinburgh: Edinburgh University Press, 1990).

Mardin, Şerif, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas* (Princeton: Princeton University Press, 1962).

Marenbon, John, ed., *Medieval Philosophy* (London: Routledge, 1998).

Markus, R. A., *Saeculum: History and Society in the Theology of St Augustine* (Cambridge: Cambridge University Press, 1970).

—— *From Augustine to Gregory the Great* (Reading: Ashgate, 1983).

Marlow, Louise, *Hierarchy and Egalitarianism in Islamic Thought* (Cambridge: Cambridge University Press, 1997).

Marquet, Y., *La Philosophie des Ihwan al-Safa* (Algiers: Études et Documents, 1973).

Mills, C. Wright, *The Marxists* (Harmondsworth: Penguin, 1962).

Mitterauer, Michael, *Warum Europa? Mittelalterliche Grundlagen eines Sonderweg* (Munich: C. H. Beck, 2003).

Moore, R. I., *The Formation of a Persecuting Society* (Oxford: Blackwell, 1987).

—— *The First European Revolution, c.970–1215* (Oxford: Blackwell, 2000).

Morris, Colin, *The Discovery of the Individual: 1050–1200* (London: SPCK, 1972).

Moussalli, Ahmad S., *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Qutb* (Beirut: American University of Beirut, 1992).

Multiple Averroes, ed. J. Jolivet (Paris: Les Belles Lettres, 1978).

Nasr, S. H. and Leaman, O., eds., *History of Islamic Philosophy*, 2 vols. (London: Routledge, 1996).

Nicol, D. M., 'Byzantine Political Thought', in J. H. Burns ed., *The Cambridge History of Medieval Political Thought c.350–c.1450* (Cambridge: Cambridge University Press, 1988): 51–82.

Oakley, Francis, *Kingship: The Politics of Enchantment* (Oxford: Blackwell).

Obolensky, Dimitri, *The Byzantine Commonwealth: Eastern Europe 500–1453* (London: Weidenfeld & Nicolson, 1971).

Othman, A. I., *The Concept of Man in the Writings of Al-Ghazali* (Cairo, 1960).

Pelikan, Jaroslav, *The Christian Tradition*, vol. 2: *The Spirit of Eastern Christendom* (Chicago: University of Chicago Press, 1974).

Pocock, J. G. A., *The Machiavellian Moment* (Princeton: Princeton University Press, 1975).

Post, Gaines, *Studies in Medieval Legal Thought: Public Law and the State* (Princeton: Princeton University Press, 1964).

Prodi, Paolo, *Il Sacramento del Potere: il giuramento politico nella storia constituzionale dell' Occidente* (Bologna: Il Mulino, 1992).

Quillet, J., *La Philosophie politique de Marsile de Padoue* (Paris: J. Vrin, 1970).

——'L'Aristotelisme de Marsile de Padoue et ses rapports avec l'Averroisme', *Medioevo*, 5 (1979): 81–142.

Reydellet, Marc, *La Royauté dans la litterature latine de Sidone Apollinaire à Isidore de Seville* (Rome: École Française de Rome, 1981).

Reynolds, Susan, *Kingdoms and Communities in Western Europe, 900–1300* (Oxford: Oxford University Press, 1984).

——*Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford: Clarendon Press, 1994).

——'The History of the Idea of Incorporation or Legal Personality: A Case of Fallacious Terminology', *Ideas and Solidarities of the Medieval Laity* (London: Ashgate, 1995).

Rosenthal, Erwin I. J., *Political Thought in Medieval Islam: An Introductory Outline* (Cambridge: Cambridge University Press, 1958).

Rosenthal, Franz, 'State and Religion According to Abu al-Hasan al-Amiri', *Islamic Quarterly*, 1 (1956): 42–52.

——*The Muslim Concept of Freedom Prior to the Nineteenth Century* (Leiden: Brill, 1960).

——*Knowledge Triumphant: The Concept of Knowledge in Medieval Islam* (Leiden: Brill, 1970).

——*The Classical Heritage in Islam*, tr. E. and J. Marmorstein (London: Routledge, 1975).

Rubinstein, N., 'Marsilius of Padua and Italian Political Thought of his Time', in J. Hale *et al.*, eds, *Europe in the Later Middle Ages* (London: Hutchinson, 1965), 44–75.

Russell, Frederick H., *The Just War in the Middle Ages* (Cambridge: Cambridge University Press, 1975).

Schacht, Joseph, *The Origins of Muhammedan Jurisprudence*, rev. edn. (Oxford: Oxford University Press, 1953).

Skinner, Quentin, *The Foundations of Modern Political Thought*, 2 vols. (Cambridge: Cambridge University Press, 1978).

—— 'The State', in T. Ball, ed., *Political Innovation and Conceptual Change* (Cambridge: Cambridge University Press, 1989), 90–131.

—— *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998).

Southern, R. W., *The Making of the Middle Ages* (London: Hutchinson, 1953).

Taylor, Charles, *Hegel* (Cambridge: Cambridge University Press, 1975).

Teillet, Susan, *Des Goths à la nation Gothique: les origines de l'idée de nation en Occident du V^e^ au VII^e^ siecle* (Paris: Les Belles Lettres, 1984).

Tellenbach, Gerd, *Church, State and Christian Society at the Time of the Investiture Controversy*, tr. R. F. Bennett (Oxford: Blackwell, 1940).

—— *The Church in Western Europe from the Tenth to the Early Twelfth Century* (Cambridge: Cambridge Univesity Press, 1993).

Tierney, Brian, 'Origins of Natural Rights Language: Texts and Contexts, 1150–1250', *History of Political Thought*, 10 (1989): 615–46.

—— *The Idea of Natural Rights: Studies on Natural Rights, Natural Law and Church Law 1150–1625* (Atlanta, Ga.: Scholars Press, 1997).

Trevelyan, G. M., *The Peace and the Protestant Succession* (London: Longman's, Green, 1934).

Trimingham, J. S., *The Sufi Orders in Islam* (Oxford: Oxford University Press, 1971).

Tripp, Charles, *Islam and the Moral Economy: The Challenge of Capitalism* (Cambridge: Cambridge University Press, 2006).

Ullmann, Walter, *Medieval Papalism: The Political Theories of the Medieval Canonists* (London: Methuen, 1949).

—— *The Growth of Papal Government in the Middle Ages* (London: Methuen, 1955).

—— *Principles of Government and Politics in the Middle Ages* (London: Methuen, 1961).

Urvoy, Dominique, *Ibn Rushd* (*Averroes*) (London: Routledge, 1991).

Vatikiotis, P. J., *Islam and the State* (London: Croom Helm, 1987).

Vryonis, Speros, *The Decline of Medieval Hellenism in Asia Minor* (Berkeley: University of California Press, 1971).

Waddell, Helen, *The Wandering Scholars* (London: Constable, 1934).

Wallace-Hadrill, J. M., *Early Germanic Kingship in England and on the Continent* (Oxford: Oxford University Press, 1971).

Watt, J. A., 'Spiritual and Temporal Powers', in *CMPT* (1988), 367–423.

Weber, Max, *Economy and Society*, ed. Guenther Roth and Claus Wittich, 2 vols. (Berkeley: University of California Press, 1968/1921–5).

WIESEHOEFER, JOSEF, *Ancient Persia from 550 BC to 650 AD*, tr. Azizeh Azodi (London: Tauris, 1996).

WILKS, M., *The Problem of Sovereignty in the Later Middle Ages* (Cambridge: Cambridge University Press, 1963).

WILLIAMS, STEVEN J., *The Secret of Secrets: The Scholarly Career of a Pseudo-Aristotelian Text in the Latin Middle Ages* (Ann Arbor, Mich.: University of Michigan Press, 2003).

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